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REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the twenty-third report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, which was submitted to him in accordance with paragraphs 20 and 21 of Assembly resolution 45/74 A of 11 December 1990. The present report should be considered together with the Special Committee's periodic reports (A/46/65 and A/46/282), which were transmitted to the members of the General Assembly on 1 February and 30 August 1991, respectively.

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LETTER OF TRANSMITTAL

22 August 1991

Sir,

The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories has the honour to transmit herewith its twenty-third report, prepared in accordance with General Assembly resolutions concerning the Special Committee and, in particular, resolution 2443 (XXIII) of 19 December 1968, by which the Special Committee was established, and resolution 45/74 A of 11 December 1990, the latest resolution by which the General Assembly renewed its mandate.

This report covers the period from 1 September 1990 to 22 August 1991. The report is based on oral information received by the Special Committee through testimonies of persons having first-hand experience of the human rights situation in the occupied territories, as well as written information gathered from various sources. Written information concerning the period from 1 September to 30 November 1990 is reflected in the periodic report which the Special Committee presented to you on 10 January 1991 (A/46/65); written information concerning the period from 1 December 1990 to 31 March 1991 is reflected in the periodic report which the Special Committee presented to you on 4 June 1991 (A/46/282) in accordance with paragraphs 20 and 21 of General Assembly resolution 45/74 A.

From among these oral and written sources of information, the Special Committee has included in its reports relevant excerpts and summaries. For the purpose of collecting oral testimonies the Special Committee again organized hearings that were held at Damascus, Amman, Cairo and Geneva. The Special Committee continued to monitor statements by members of the Government of Israel reflecting the policy of that Government in the occupied territories and reports on measures taken to implement that policy. The Special Committee further noted the letters addressed to you and to the President of the Security Council during the period of this report relating to the mandate of the Special Committee, circulated as documents of the General Assembly and the Security Council, and received information from organizations and individuals on various aspects of the situation in the occupied territories.

In carrying out its mandate, the Special Committee benefited from the cooperation of the Governments of Egypt, Jordan and the Syrian Arab Republic and from the cooperation of Palestinian representatives. The Government of Israel has continued to ignore requests for cooperation addressed to it.

His Excellency
Mr. Javier Pérez de Cuéllar
Secretary-General of the United Nations
New York

In preparing its report the Special Committee has attempted to put before you a composite picture of the reality in the occupied territories as it affects the human rights of the civilian population. By this letter the Special Committee wishes to draw your attention to a number of aspects that deserve particular mention.

The information contained in the twenty-third report of the Special Committee reflects the further deterioration, in the course of recent months, of the human rights situation in the occupied territories, already critical since the beginning of the uprising and its repression three and a half years ago. This dramatic situation stems basically from the illegal measures of annexation and persistent settlement policy pursued by the Government of Israel since 1967, which, together with occupation in itself, constitutes a grave violation of basic human rights, giving rise to the fierce determination of the Palestinian and other Arab civilians to oppose this policy.

The outbreak of the Gulf crisis and the ensuing war have led to increasingly repressive policies and practices by the occupying Power.

The Palestinian and other Arab population in the occupied territories has continued to suffer a heavy toll of casualties. Harsh methods have continued to be implemented by the Israeli authorities in trying to quell the popular uprising. Disproportionate force has been used against the civilian population, including live ammunition and other cruel means of inflicting losses of life, and severe injuries have resulted from shooting, beating, tear-gas inhalation and other causes.

Various elements have considerably added to the suffering of a population living below the poverty line and exposed to severe physical and psychological stress. Among these factors, mention should be made of the prolonged and continuous curfews imposed upon the Arab population of the occupied territories in particular during and after the Gulf war, and the severe deprivations resulting from the difficult access to basic needs such as food and medical treatment during long periods; the damage inflicted upon the agriculture and the loss of income of several thousand Arab workers as a result of curfews or restrictive ID regulations severely limiting freedom of movement inside and outside the occupied territories; the deliberate policy of economic pressure characterized by search and arrest operations during the collection of taxes, property seizure and tree uprooting; and the systematic resort to house demolitions as a collective punishment.

Acts of aggression committed by Israeli settlers against Arab civilians have also contributed to a further deterioration of the climate of fear and tension in the occupied territories. This tension cannot but increase in view of the new impetus given by the Israeli authorities to their annexation policy. The recent creation of new settlements, in particular in the Jerusalem area, and the declared intention to establish further settlements and increase drastically the settler population in the near future (including through the settlement in the occupied territories of recently arrived Jewish immigrants) on the one hand, and the various measures of harassment taken

against the Palestinian population to incite it to leave its homeland on the other hand, seem to indicate a deliberate will to modify the demographic composition of the occupied territories.

In the same context, the recent period has also witnessed a resumption of the policy of expelling Palestinians from the occupied territories for alleged security reasons. This practice, which had come to a temporary halt for a few months, has been reactivated in spite of a wave of international protests and in violation of relevant provisions of the Fourth Geneva Convention.

The civilian population has been confronted with increasing restrictions affecting all aspects of life in the occupied territories; restrictions on freedom of movement have contributed to a considerable decrease in the number of persons allowed to cross the border to the neighbouring countries and have even affected travel inside the occupied territories, particularly to Jerusalem. Freedom of expression and religion have also been affected by severe limitations. In the field of education, the prolonged closures which have continued to affect a number of universities, schools and even kindergartens, the denial of proper educational facilities and the harassment of teachers and students seem to indicate the implementation, by the occupation authorities, of a deliberate policy aiming at a lowering of the previously high standard of education, the effects of which are already evident in the decline of the educational level, in particular among young children.

The administration of justice in the occupied territories has also been marked by a deterioration of human rights standards. Several thousand Palestinians, including minors and women, have been or continue to be detained in various prisons and detention centres, sometimes inside Israel itself, often as a measure of preventive or administrative detention. Many examples illustrate the fact that legal guarantees, including the right to a fair trial, are often denied to Palestinians, whereas Israelis charged with killing or ill-treating Arab civilians seem in contrast to have usually benefited from relative leniency from the authorities. The critical conditions of detention have continued to be a cause of severe concern, owing in particular to repeated allegations of torture and systematic ill-treatment of prisoners, including minors.

The Special Committee has endeavoured, within the constraints imposed by the lack of cooperation from Israel, to provide in its periodic reports (A/46/65 and A/46/282) and the present twenty-third report a faithful picture of the situation of human rights in the occupied territories. The particular circumstances faced by the Arab population during the period under review and the constant deterioration of its living conditions represent a serious challenge for the international community, already confronted with dramatic developments in the area during the recent period. In order to avoid another major explosion in the region, the international community needs to renew its efforts to convince Israel that it should put an end to its practices affecting the human rights situation in the occupied territories.

The Special Committee reiterates its sincere hope that the present report may contribute to further mobilizing the international community in its search for a solution to the plight of the Palestinian people and other Arabs of the occupied territories which would guarantee the full enjoyment of their fundamental human rights.

Accept, Sir, on behalf of my colleagues and on my own behalf, the assurances of our highest consideration.

Stanley KALPAGE
Chairman of the Special Committee to
Investigate Israeli Practices Affecting the
Human Rights of the Palestinian People and
Other Arabs of the Occupied Territories

I. INTRODUCTION

1. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories was established by the General Assembly in resolution 2443 (XXIII) of 19 December 1968. By that resolution, the Assembly decided to establish the Special Committee, composed of three Member States; requested the President of the Assembly to appoint the members of the Special Committee; requested the Government of Israel to receive the Special Committee, to cooperate with it and to facilitate its work; requested the Special Committee to report to the Secretary-General as soon as possible and whenever the need arose thereafter; and requested the Secretary-General to provide the Special Committee with all the necessary facilities for the performance of its task.

2. The Special Committee is composed as follows: Mr. Stanley Kalpagé, Permanent Representative of Sri Lanka to the United Nations, Chairman; Mr. Alioune Sene, Ambassador of Senegal at Bern and Permanent Representative of Senegal to the United Nations Office at Geneva; Mr. Dragan Jovanic, advocate, Yugoslavia.

3. At the meetings of the Special Committee held from 21 May to 4 June 1991, Mr. Mamadou Mansour Diop, First Counsellor at the Permanent Mission of Senegal to the United Nations Office at Geneva attended as the representative of Senegal on 21 May, and Mr. Chams Eddine N'Doye, Ambassador Extraordinary and Plenipotentiary of Senegal to Egypt, from 23 May to 4 June.

4. Since October 1970, the Special Committee has submitted 22 reports. 1/ These reports were discussed in the Special Political Committee, which then reported to the General Assembly. 2/ On the recommendation of the Special Political Committee, the Assembly adopted resolutions 2727 (XXV) of 15 December 1970, 2851 (XXVI) of 20 December 1971, 3005 (XXVII) of 15 December 1972, 3092 A and B (XXVIII) of 7 December 1973, 3240 A to C (XXIX) of 29 November 1974, 3525 A to D (XXX) of 15 December 1975, 31/106 A to D of 16 December 1976, 32/91 A to C of 13 December 1977, 33/113 A to C of 18 December 1978, 34/90 A to C of 12 December 1979, 35/122 A to F of 11 December 1980, 36/147 A to G of 16 December 1981, 37/88 A to G of 10 December 1982, 38/79 A to H of 15 December 1983, 39/95 A to H of 14 December 1984, 40/161 A to G of 16 December 1985, 41/63 A to G of 3 December 1986, 42/160 A to G of 8 December 1987, 43/58 A to G of 6 December 1988, 44/48 A to G of 8 December 1989 and 45/74 A of 11 December 1990.

5. The present report has been prepared in accordance with General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV), 2851 (XXVI), 3005 (XXVII), 3092 B (XXVIII), 3240 A and C (XXIX), 3525 A and C (XXX), 31/106 C and D, 32/91 B and C, 33/113 C, 34/90 A to C, 35/122 C, 36/147 C, 37/88 C, 38/79 D, 39/95 D, 40/161 D, 41/63 D, 42/160 D, 43/58 A, 44/48 A and 45/74 A.

II. ORGANIZATION OF WORK

6. The Special Committee continued its work under the rules of procedure contained in its first report to the Secretary-General. 3/

7. In its resolution 45/74 A of 11 December 1990, the General Assembly:

> "20. Requests the Special Committee, pending early termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;
>
> "21. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the present situation in the occupied Palestinian territory;
>
> "22. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967".

8. Mr. Stanley Kalpagé replaced Mr. Daya Perera as Chairman of the Special Committee as at 18 March 1991.

9. The Special Committee held the first of its series of meetings from 7 to 10 January 1991 at Geneva. The activities of the Special Committee during those meetings are reflected in document A/46/65 (paras. 4-11).

10. The Governments of Egypt, Jordan and the Syrian Arab Republic as well as the Observer for Palestine subsequently responded to the Special Committee's request for cooperation (see A/46/65, para. 6), reconfirming their readiness to continue cooperating with the Special Committee.

11. On 28 March 1991, the Chairman of the Special Committee addressed a cable to the Secretary-General in which he conveyed the deep concern of the Special Committee about the decision of the Israeli authorities to deport four Palestinians from the territories occupied by Israel. The Special Committee stressed that this decision was in flagrant contradiction of all relevant legal norms and standards, and in particular the provisions of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War. The Special Committee requested the Secretary-General to bring its expression of concern to the attention of the Israeli authorities.

12. The Special Committee held a series of meetings at Geneva (21 May 1991), Damascus (23-24 May 1991), Amman (25-30 May 1991) and Cairo (1-4 June 1991). At these meetings, the Special Committee examined information on developments

occurring in the occupied territories between December 1990 and March 1991. It had before it a number of communications addressed to it by Governments, organizations and individuals in connection with its mandate. The Special Committee took note of several letters addressed to it by the Permanent Representative of Jordan to the United Nations Office at Geneva on matters related to its mandate. At Damascus, Amman and Cairo the Special Committee heard testimonies of persons just returned from or living in the West Bank, the Gaza Strip and the occupied Syrian Arab Golan concerning the situation in those territories.

13. At Damascus the Special Committee was received by Mr. Najdi El-Jazzar, Director, International Organizations Department, Ministry of Foreign Affairs, and was presented with a report concerning the human rights situation in the occupied Syrian Arab Golan. During its stay in the Syrian Arab Republic, the Special Committee visited the town of Quneitra and was presented with information on Israeli practices against the Syrian Arab citizens in the occupied Golan. The Special Committee also met Mr. Mohammad Abu Zarad, Director of the General Committee of Palestinian Refugees in the Syrian Arab Republic.

14. At Amman the Special Committee was received by the Minister for Foreign Affairs, Mr. Taher Al-Masri. It also conducted consultations with Mr. Ahmed Qatanani, Director, Department of Occupied Territories Affairs of the Ministry of Foreign Affairs, and was presented with a report on the situation in the occupied territories prepared by that Department. During its stay at Amman the Special Committee met with members of the Executive Committee of the Palestine National Council. The Special Committee received from the Departments of Occupied Territories Affairs and of General and Higher Education of the Palestine Liberation Organization (PLO) a series of reports and statistics on the situation in the occupied territories. The Special Committee visited the Islamic Hospital and the Palestinian Hospital, as well as the King Hussein Bridge. The Special Committee also visited the Association for the Protection of Children of Palestinian Martyrs where it met Mrs. Intisar El-Wazzir, Head of the Association.

15. At Cairo the Special Committee was received by the Minister for Foreign Affairs, Mr. Amr Moussa. It also met with Mr. Monir Zahran, Director, International Organizations Affairs Department, and Mr. Ibrahim Mostafa, Director, Palestinian Affairs Department of the Ministry of Foreign Affairs. The Special Committee also met Major-General Salama, Governor-General of Gaza, and Mr. Saïd Kamal, the Palestinian Representative in Cairo. It also visited the Palestinian Red Crescent Hospital where it met Dr. Fathi Arafat, Chairman of the Palestinian Red Crescent. The Special Committee was also received by Mr. Mahdi Mostafa el Hadi, Deputy Secretary-General of the League of Arab States and other officials of the League.

16. The Special Committee examined and completed a periodic report (A/46/282) updating information contained in its previous periodic report (A/46/65). It decided that any further information and evidence relevant to its mandate would be reflected, together with its conclusions, in the present report of the Special Committee.

17. On 4 June 1991, the Chairman of the Special Committee transmitted to the Secretary-General its periodic report (A/46/282) covering the period from 1 December 1990 to 31 March 1991. That report was based on written information gathered from various sources among which the Special Committee had selected relevant excerpts and summaries, which were reflected in the report.

18. The Special Committee met again at Geneva from 19 to 22 August 1991. At these meetings, the Special Committee examined information on developments occurring in the occupied territories from April to August 1991. It had before it a number of communications addressed to it by Governments, organizations and individuals in connection with its mandate, as well as records of testimonies collected during its previous series of meetings. The Special Committee took note of several communications addressed to it by the Permanent Representatives of Jordan and the Syrian Arab Republic to the United Nations Office at Geneva on matters related to its mandate. The Special Committee also heard and examined the testimony of two witnesses. It examined and completed the present report on 22 August 1991.

III. MANDATE

19. The General Assembly, in its resolution 2443 (XXIII), entitled "Respect for and implementation of human rights in occupied territories", decided to establish a Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, composed of three Member States.

20. In its resolution 44/48 A, the General Assembly decided to change the name of the Special Committee to "Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

21. The mandate of the Special Committee, as set out in resolution 2443 (XXIII) and subsequent resolutions, was "to investigate Israeli practices affecting the human rights of the population of the occupied territories".

22. In interpreting its mandate, the Special Committee determined that:

(a) The territories to be considered as occupied territories referred to the areas under Israeli occupation, namely, the occupied Syrian Arab Golan, the West Bank (including East Jerusalem), the Gaza Strip and the Sinai Peninsula. Following the implementation of the Egyptian-Israeli Agreement on Disengagement of Forces of 18 January 1974 and the Agreement on Disengagement between Israeli and Syrian Forces of 31 May 1974, the demarcation of the areas under occupation was altered as indicated in the maps attached to those agreements. The areas of Egyptian territory under Israeli military occupation were further modified in accordance with the Treaty of Peace between the Arab Republic of Egypt and the State of Israel, which was signed on 26 March 1979 and which came into force on 25 April 1979. On 25 April 1982, the Egyptian territory remaining under Israeli military occupation was restituted to the

Government of Egypt in accordance with the provisions of the aforementioned agreement. Thus, for the purposes of the present report, the territories to be considered as occupied territories are those remaining under Israeli occupation, namely, the occupied Syrian Arab Golan, the West Bank, including East Jerusalem, and the Gaza Strip.

(b) The persons covered by resolution 2443 (XXIII) and therefore the subject of the investigation of the Special Committee were the civilian population residing in the areas occupied as a result of the hostilities of June 1967 and those persons normally resident in the areas that were under occupation but who had left those areas because of the hostilities. However, the Committee noted that resolution 2443 (XXIII) referred to the "population" without any qualification as to any segment of the inhabitants of the occupied territories.

(c) The "human rights" of the population of the occupied territories consisted of two elements, namely, those rights which the Security Council referred to as "essential and inalienable human rights" in its resolution 237 (1967) of 14 June 1967 and, secondly, those rights which found their basis in the protection afforded by international law in particular circumstances such as military occupation and, in the case of prisoners of war, capture. In accordance with General Assembly resolution 3005 (XXVII), the Special Committee was also required to investigate allegations concerning the exploitation and the looting of the resources of the occupied territories, the pillaging of the archaeological and cultural heritage of the occupied territories, and interference in the freedom of worship in the Holy Places of the occupied territories.

(d) The "policies" and "practices" affecting human rights that came within the scope of investigation by the Special Committee referred, in the case of "policies", to any course of action consciously adopted and pursued by the Government of Israel as part of its declared or undeclared intent; while "practices" referred to those actions which, irrespective of whether or not they were in implementation of a policy, reflected a pattern of behaviour on the part of the Israeli authorities towards the civilian population in the occupied areas.

The geographical names as well as the terminology employed in the present report reflect the usage in the original source and do not imply the expression of any opinion whatsoever on the part of the Special Committee or the Secretariat of the United Nations.

23. Since its inception the Special Committee has relied on the following international instruments in interpreting and carrying out its mandate:

(a) The Charter of the United Nations;

(b) The Universal Declaration of Human Rights;

(c) The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949; 4/

(d) The Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949; 5/

(e) The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, of 14 May 1954; 6/

(f) The Hague Conventions of 1899 and 1907 respecting the Laws and Customs of War on Land; 7/

(g) The International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. 8/

24. The Special Committee has also relied on those resolutions relevant to the situation of civilians in the occupied territories adopted by United Nations organs, the General Assembly, the Security Council, the Economic and Social Council and the Commission on Human Rights, as well as the relevant resolutions of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO) and the International Labour Organisation (ILO).

IV. INFORMATION AND EVIDENCE RECEIVED BY THE SPECIAL COMMITTEE

25. In the course of carrying out its mandate, the Special Committee has relied on the following sources:

(a) The testimony of persons with first-hand knowledge of the situation of the population in the occupied territories;

(b) Reports in the Israeli press, including of pronouncements by responsible persons in the Government of Israel;

(c) Reports appearing in other news media, including the Arab language press published in the occupied territories in Israel and the international press.

26. The Special Committee also received written statements from the Governments of Jordan and the Syrian Arab Republic and from the Observer for Palestine.

27. The Government of Jordan has provided the Special Committee with various monthly reports on Israeli settlement operations, land confiscation and attacks on Arab citizens and their property. It has also submitted a report on Israeli violations of human rights in the occupied West Bank and Gaza Strip prepared by the Department of Palestinian Affairs of the Ministry of Foreign Affairs and covering the period from 31 January 1990 to 15 May 1991. The present report contains information and data on measures of collective punishment, land confiscation, the establishment of new settlements, attacks on land, measures and practices affecting Arab civilians and their properties (such as incidents affecting religious sites, attacks on social and municipal institutions, economic sanctions, clashes affecting towns, villages and

refugee camps, practices against education), the administration of justice, the treatment of prisoners, restrictions to freedom of movement, expulsions, the demolition and sealing of houses, and the killing of Arab civilians.

28. The Government of the Syrian Arab Republic has provided the Special Committee with a report prepared by the Ministry of Foreign Affairs about Israeli practices affecting the human rights of the Palestinian people and other Arabs of the occupied territories. That report deals in particular with Israeli practices in the Syrian Arab Golan. It refers to "the continuous Israeli policy of occupation aimed at annexing the Golan and Judaizing it by encouraging settlements there". It provides information on the recent attempts to promote settlements in the Golan and to increase the number of settlers there; it further refers to the takeover of land from Syrian Arab citizens in the Golan and to the Israeli practice of setting fire to agricultural land in the Golan; it also contains information and data on the seizure of water resources and the heavy taxes imposed for the exploitation of irrigation water. The report provides information on the economic and social changes that have affected the living conditions of the Syrian Arab citizens in the area and have resulted in a deterioration in agriculture, industry and education, as well as unfair and extremely precarious working conditions for Arab workers and a serious worsening of the health situation. The report also refers to the systematic destroying of the Syrian national heritage in the Golan, including illegal archaeological excavations and looting of antiquities. It further deals with various human rights violations in the occupied Syrian Golan, including killing, the use of force to quell demonstrations and to break strikes, and deficiencies in the administration of justice. The report has been circulated as an official document of the General Assembly (A/46/284).

29. The Special Committee also received documents submitted by various departments of the PLO. Among these documents, mention can be made of the report submitted by the Department of General and Higher Education, which deals with some of the Israeli occupation authorities' practices against education in the occupied territories during the period from May 1990 until the end of April 1991, such as school closures, the harassment of teachers and students, school raids and the use of schools as military barracks. Another report submitted by the Department of Occupied Territories Affairs concerns the Israeli occupation authorities' practices against the city of Jerusalem in 1990-1991. That report mentions a number of measures taken under the pretext of ensuring security in the city; it provides a list of Palestinians killed in Jerusalem since the start of the popular uprising; it gives examples of Israeli practices against individuals and their properties. It also refers to recent measures limiting the freedom of movement of Palestinians to and from Jerusalem. The report further mentions measures of harassment of students and practices against the Palestinian press, mainly based in Jerusalem. It provides examples of Israeli attempts to seize Arab-owned land in Jerusalem and of the policy of expanding settlements in the Jerusalem area as a matter of priority; it refers to the demolition and seizure of houses; it also deals with the activities of Jewish religious groups in Jerusalem, and refers to the Israeli policy aimed at changing Jerusalem's demographic balance in favour of the Jewish population. Another report, submitted by the Department of

Occupied Territories Affairs, deals with Israeli practices against the territories occupied in 1967; it refers to the situation of the Palestinian people under curfew during the Gulf war; it provides a list of land confiscated from 25 April 1990 to 27 April 1991; it refers to expulsions and house demolitions. Other problems mentioned in the report include the Jewish immigration, settlements and land seizure, the situation of workers in the occupied territories, as well as the economic situation after the Gulf crisis.

30. In addition, the Special Committee received written information from intergovernmental organizations such as relevant specialized agencies, United Nations organs and regional organizations, as well as non-governmental organizations, individuals and Governments on the situation in the occupied territories. At its meetings, the Committee had before it several communications addressed to it directly or referred to it by the Secretary-General from sources outside and inside the occupied territories. Where necessary, the Committee has followed up information contained in these communications.

31. The Special Committee undertook a series of hearings at Damascus, Amman and Cairo during its meetings from 21 May to 4 June 1991. At these meetings, the Special Committee heard the testimony of 41 persons having first-hand knowledge of the human rights situation existing in the occupied territories. These testimonies are contained in documents A/AC.145/RT.556 and 557, 559 to 567 and 569 to 571 and are reflected below. During its meetings at Geneva the Special Committee also heard on 19 August 1991 the testimony of two Israeli witnesses from the Association of Israeli-Palestinian Physicians for Human Rights. These testimonies are contained in document A/AC.145/RT.573 and are reflected below.

32. The Special Committee has taken particular care to rely on information appearing in the Israeli press that has not been contradicted by the Government of Israel.

33. The following paragraphs contain a summary of the information examined by the Special Committee divided as follows:

(a) General situation;

(b) Administration of justice, including the right to a fair trial;

(c) Treatment of civilians;

(d) Treatment of detainees;

(e) Annexation and settlement;

(f) Information concerning the occupied Syrian Arab Golan.

34. This information has been divided into oral evidence and written information. In order to comply with restrictions on the volume of documentation now enjoined upon United Nations reports, the Special Committee

has endeavoured to present this information in the most compact and concise form possible. Oral evidence, for which a full record of testimonies is available in documents A/AC.145/RT.556 and 557, 559 to 567, 569 to 571 and 573 has been condensed to a general indication of the contents of such records. The report also attempts to summarize written information. This information is reflected in more detail in documents of the Special Committee, which are available on file in the secretariat.

A. General situation

1. General developments and policy statements

Written information*

35. On 1 April 1991, it was reported that the security cabinet (the Government Ministers in charge of security matters) had approved a series of deterrent and preventive measures to curb the wave of stabbings and other attacks by Arabs entering Israel from the territories. The measures were laid down the previous week by a joint team of Defence Ministry and Police Ministry officials, with the concurrence of the Justice Ministry. It was decided to continue, and possibly increase, the policy of deportation of Palestinians suspected of incitement to violence, and the policy of demolishing or sealing the homes of Palestinians involved in stabbing attacks and other terrorist activities. Preventive measures decided upon included stricter criteria for the issue of entry permits from the territories into Israel. The security cabinet also endorsed a restriction that had been in effect for a few weeks, whereby Palestinians from the territories could travel to Israel only by public transport or in vehicles supplied by their employers, and not in their own cars. Starting in mid-May 1991, employers hiring Palestinians from the territories without an official work permit issued by the government employment service would be heavily fined. The open-fire instructions for civilians and defence personnel were not changed, despite public calls by the Police Minister to authorize shooting-to-kill during the course of a stabbing. The cabinet also refrained from approving more drastic measures proposed by Ministers Ariel Sharon, Rafael Eitan and Rehavam Ze'evi. They had proposed to expel entire families of Palestinians involved in stabbing attacks on Israelis, to arm Palestinian opponents of the PLO and to impose collective punishment on villages. (Ha'aretz, Jerusalem Post, 1 April 1991)

36. On 29 April 1991, it was reported that the security authorities and Civil Administration approved a plan that was to be implemented shortly, consisting of housing refugees from Jabalia and Shati' camps in new houses, to be built

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 12 to 17 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 6 to 17 of document A/46/282.

on state lands near Beit Hanun and Nazla, in the Gaza Strip. The plan would concern some 70 to 80 families from Jabalia and a similar number from Shati'. (Ha'aretz, 29 April 1991)

37. On 8 May 1991, the Civil Administration announced it was granting licences to 29 Palestinian businessmen from the West Bank to set up new plants and factories in the region. The licences were given to 8 businessmen from Hebron, 10 from the Bethlehem area, 3 each from Ramallah, Nablus and Jenin, and 2 from Tulkarm. The plants included 10 specializing in building materials and 9 in food products. The head of the Civil Administration, T/A (Brig.-Gen.) Gad Zohar, told the businessmen at a ceremony at the headquarters in Beit El that a new law would come into force shortly that would exempt all new businesses in the West Bank from taxes. According to a report, these new measures signalled a sharp turn in government thinking on giving Palestinians more control over their economy. According to another report the measures reflected a trend that had been taking shape over the past year, namely, to develop an independent economic infrastructure in the territories, which would prevent the population from being totally dependent on employment inside Israel. This trend had intensified after the stabbing attacks by residents of the territorires inside Israel and the partial closure of access to Israel to workers from the territories. (Ha'aretz, Jerusalem Post, 9 May 1991)

38. On 23 May 1991, it was reported that the defence authorities, through the office of the Coordinator of Activities in the Territories, decided to approve the holding of elections in all the chambers of commerce in the territories in order to promote investments. The first elections were to be held in the Hebron Chamber of Commerce. It was reported that since 1970 no such elections had been held and the chambers of commerce had been practically paralysed. In another development, it was reported that the Civil Administration had recently authorized the setting up of a chamber of industry in the Gaza Strip. The chamber would be headed by Muhammad Al-Yazji. (Ha'aretz, 23 May 1991)

39. On 9 June 1991, the Coordinator of Activities in the Territories, Brig.-Gen. Dan Rothschild, approved a three-year exemption from income and property tax for new plants in the territories. (Jerusalem Post, 10 June 1991)

40. On 17 June 1991, it was reported that the level of employment of Arab workers from the territories in Israel was nearing that which existed before the Gulf war. At present over 80,000 workers from the territories were employed in Israel legally, 35,000 of them from the Gaza Strip. Some 15,000 people (9,000 from the West Bank and 6,000 from the Gaza Strip) were given special ID cards that barred them from entering Israel. Sources at the defence establishment said it was intended to create more employment sources for the Arabs from the territories, both in Israel and in the territories. (Ha'aretz, 17 June 1991)

41. On 19 June 1991, Defence Minister Arens announced that 400 Palestinian prisoners would be released on the occasion of the Muslim holiday of Id al-Adha. Military sources added that 300 to 350 prisoners would be released in the West Bank and about 100 in the Gaza Strip. Most of those

affected by the measure would be prisoners whose sentences for relatively minor security offences were close to completion. In a related development, it was reported that the Civil Administration had decided to take several other measures on the occasion of the Muslim holiday. In the Gaza Strip the night curfews would start at 10 p.m. instead of 8 p.m.; several alleys that were sealed would be opened, food would be distributed to needy people and Civil Administration employees would get 50 per cent of their salary in advance. According to military sources the measures were also linked with the decreasing level of violence in the territories. (Ha'aretz, 19 and 23 June 1991; Jerusalem Post, 20 June 1991)

42. On 22 June 1991, Israel Television screened a report on the activities of Israel Defence Force (IDF) undercover units operating in the territories to carry out arrests of persons suspected to be active in the uprising. Israeli soldiers were seen disguised as old Arabs or Arab women, approaching suspects and making arrests. Some of the soldiers said they had actually joined groups of masked activists in the refugee camps and participated in stone-throwing incidents. The revelations stirred strong criticism both from the political sector and from within the military. According to military sources the decision to confirm the existence of undercover units was made at the General Staff level. The reason for the screening was believed to be intended by the authorities to have a deterrent effect, and to defend the units against charges that they had been operating as extra-legal "hit squads", outside the bounds of military regulations. Military sources declared that "open-fire" orders and other IDF procedures were followed by the units. (Jerusalem Post, 23 June 1991)

43. On 24 June 1991, the Association for Civil Rights in Israel (ACRI) issued its annual report on human rights abuses in Israel and the territories. It described as "racist" the policy by which Arab homes are often demolished when their occupants commit serious offences, while the demolition of homes of Jews who commit similar, or even more serious offences, is not even considered. The report cited progress on the issue of family unification. Under a new policy statement, spouses and children of residents who until June 1990 were not allowed to stay in the territories on the grounds that they were Jordanian citizens, could now remain as "permanent visitors". Some 250 women and children who had been expelled were later allowed to return. "Permanent visitor" status meant that dependents could register periodically near their homes without leaving the country each time to return on a new visitor's visa. (Jerusalem Post, 25 June 1991)

44. On 26 June 1991, the Palestinian Human Rights Information Centre published names of 47 people it said had been killed in IDF undercover operations in the territories since January 1989. According to the report, compiled by researcher Lee O'Brian, 26 Palestinians were killed in such operations in 1989, 11 in 1990 and 10 in the first five months of 1991. Most of the victims were reportedly killed while writing graffiti on walls, and others were either manning barricades or shouting slogans through loudspeakers. Ten were killed in circumstances that suggested they were specifically "wanted by the authorities" and six were armed when killed. The case of Mahmud Abu Shamleh is specifically mentioned. He was killed in Bureij

on 4 October 1989 in circumstances that, according to an Israeli newspaper, led to a decision to charge a lieutenant colonel and a lieutenant from an undercover squad with issuing and executing an illegal order. (Jerusalem Post, 27 June 1991)

45. On 10 and 11 July 1991, several official Israeli reactions were made public following the publication of the Amnesty International report for 1991 and the allegations it contained in the chapter on Israel and the occupied territories. The Minister of Justice, Dan Meridor, said in a radio interview that the practice of administrative detention was not desirable, but was unavoidable. He added that the number of administrative detainees had been greatly reduced in recent months and promised that in the future it would be resorted to even less when other adequate means were available. The Justice Ministry statement totally rejected the allegation that Israel encouraged extra-judicial killings. Military sources accused the report of one-sidedness, by emphasizing the measures taken by the IDF in the territories to enforce law and order and not giving the right weight to violence by Palestinians against the IDF and civilians. "The report totally disregards the fact that the IDF actions in the territories are under the permanent scrutiny of the Supreme Court, which, more than once, confirmed the legality of measures taken in the territories", the military sources said. (Ha'aretz, 10 and 11 July 1991)

46. On 28 July 1991, it was reported that the Defence Minister, Moshe Arens, had asked the Chief of Staff, Ehud Barak, to consider new measures to combat the uprising following the sharp increase in the use of firearms by Palestinians in the territories. It was reported that, while the use of firearms and explosive devices was on the increase, in particular in the Gaza Strip, "street violence", including stone-throwing incidents, was decreasing. According to security sources, new measures to combat the uprising should include the use of special units and rapid vehicles, instead of the slow vehicles with protection against stone-throwing currently used. (Ha'aretz, 28 July 1991)

47. On 1 August 1991, the Betzelem organization published data concerning the number of Palestinian casualties since the beginning of the uprising. By the end of July 1991 775 Palestinians had been killed by troops, including 748 killed as a result of fire-arm shots and 27 killed in other circumstances. Of those killed 166 were children. (Ha'aretz, 2 August 1991)

48. On 13 August 1991, the Chief of Staff, Lt.-Gen. Ehud Barak, accepted the recommendations of Maj.-Gen. (res.) Rafael Vardi, whom he had appointed to examine charges of brutality and irregularities by soldiers in military prisons and detention centres in the territories. Maj.-Gen. Vardi recommended that responsibility for investigating residents of the territories be taken away from the IDF and given to other security services. He also recommended the strengthening of current IDF standing orders forbidding the use of violence in the investigation of Palestinians suspected of security offences. Responsibility for making sure that these orders were observed should be entrusted to special officers at the General Staff and Region Command level, rather than to all officers of all ranks and at all levels of the IDF structure. (Jerusalem Post, 14 August 1991)

2. Incidents linked with the uprising of the Palestinian population against the occupation

Written information*

49. The following tables provide details concerning Palestinians killed between 1 April 1991 and 22 August 1991 in the occupied territories and the circumstances of their death as reported in various newspapers. The following abbreviations of the names of newspapers are used in the tables:

AF Al-Fajr

H Ha'aretz

JP Jerusalem Post

(a) List of Palestinians killed by troops or Israeli civilians

Date	Name and age	Place of residence	Remarks and source
1 April 1991	Awad Ahmed Abu Lahiya (25)	Karara, near Khan Younis	Died in hospital of wounds sustained on 2 March 1991, allegedly when settlers opened fire. (H, JP, 2 April 1991)
5 April 1991	Mahmud Yussuf al-Haroub (16)	Dura	Killed by troops when he was spotted armed with a knife and masked, and was about to attack the soldiers. (H, JP, 7 April 1991; AF, 8 April 1991)

* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraph 18 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraph 18 of document A/46/282.

Date	Name and age	Place of residence	Remarks and source
5 April 1991	Mahmud Muhammed Salim Alian (or Enayin) (14)	Far'a camp	Killed by troops during a clash with stone-throwers. (H, JP, 7 April 1991)
14 April 1991	Munzir Abdullah Kawasmeh (33)	Hebron	Killed by a soldier after he allegedly deliberately tried to knock over another soldier with his car. According to Palestinian sources the driver had no intention to run over the soldiers and the incident was just a traffic incident. (H, JP, 14 April 1991; AF, 22 April 1991)
15 April 1991	Omar Sabor (14)		Shot dead by a security guard and a passenger, both riding in an Egged bus that was stoned by youths in Ramallah. (H, JP, 16 April 1991; AF, 22 April 1991)
16 April 1991	Unidentified (21)	Hebron	Was among a group of masked youths who attacked an Israeli car with stones while the area was under curfew. Was shot by troops. (H, 17 April 1991)
24 April 1991	Hassan Muhammad Abu Mor (21)	Rafah	Killed by a soldier who believed the youth was about to attack him, and after he ignored an order to stop. (H, JP, 25 April 1991; AF, 29 April 1991)

Date	Name and age	Place of residence	Remarks and source
1 May 1991	Nidal (or Nihad) Inabousi (12)	Nablus	Died in hospital of wounds sustained on 24 April 1991 during a clash with troops, when he was shot by soldiers using live bullets. (H, JP, 2 May 1991; AF, 6 May 1991)
3 May 1991	Issam Shehadeh Kfeishe (21)	Hebron	Killed by troops during a clash. (H, JP, 5 May 1991; AF, 6 May 1991)
3 May 1991	Hassan Abu Jarad (20)	Gaza	Died in hospital from wounds sustained on 5 October 1990 during a clash with troops. (H, JP, 5 May 1991)
6 May 1991	Anan Zeidan	Tulkarm	Killed by troops as they spotted two masked youths armed with swords and axes. The troops opened fire while trying to arrest them, killing one of them. (H, 7 May 1991; AF, 13 May 1991)
6 May 1991	Nimer Ma'alawi (17)	Tubas	Died in hospital of wounds sustained the previous day during a clash with troops. According to Palestinian sources the youth was shot by marksmen who arrived in a car with West Bank licence-plates, while he was shouting inciting slogans. (H, 7 May 1991; AF, 13 May 1991)

Date	Name and age	Place of residence	Remarks and source
6 May 1991	Iman Jaber Adel Fathi (16)	Rafah	Died in hospital of wounds sustained on 6 April 1991 when troops shot him in the head during a clash. (H, 7 May 1991; AF, 13 May 1991)
10 May 1991	Ahmed Hassan Sha'alan (15)	Ein Beit al-Ma camp	Killed by troops during a chase, after a group of youths disobeyed an order to stop and fled. (H, JP, 12 May 1991; AF, 13 May 1991)
15 May 1991	Mahmud Da'ameh (19)	Tel Sultan, Rafah	Killed by troops who spotted a group of masked youths armed with axes and writing slogans in Rafah camp. The soldiers opened fire when the youths ignored orders to halt. (H, JP, 16 May 1991)
19 May 1991	Iman Abu-Rub (19)	Misilya, near Jenin	Killed during clashes with troops, who opened fire at stone-throwers. (H, 20 May 1991; AF, 27 May 1991)
26 May 1991	Ibrahim Abd el Rahman Ahmed Kassem	Dura al-Kara, near Ramallah	Killed by troops. The troops ordered the youths to halt and opened fire when the latter disobeyed. (H, JP, 27 May 1991; AF, 3 June 1991)

Date	Name and age	Place of residence	Remarks and source
26 May 1991	Muhammad Ibrahim Kawasmeh (20)	Hebron	Killed by troops who opened fire at a group of masked youths who attacked them with stones. (H, JP, 27 May 1991; H, 28 May 1991; AF, 3 June 1991)
27 May 1991	Jamal Amar Kamal (18)	Jilabun	Killed by an IDF officer who opened fire after his car was attacked by youths throwing stones and a petrol bomb. (H, JP, 28 May 1991; AF, 3 June 1991)
27 May 1991	Mahdiya Muhammad Honeidek (33)	Khan Younis camp	Died in hospital of wounds sustained the previous day when a military jeep crashed into a gate of a girls' school behind which she was standing, crushing her skull. (H, JP, 28 May 1991)
8 June 1991	Muhammad Nawaj'a (60)	Yatta	A shepherd. Shot dead by a Jewish settler after a dispute over grazing rights. (See "Settlers' activities".) (H, JP, 9 June 1991; AF, 10 June 1991)
11 June 1991	Ibrahim Abu-Safiya (13) (or Muhammad Yai'sh)	Beit Sira, near Ramallah	Shot and killed by troops who opened fire at stone-throwers. (H, JP, 12 June 1991; AF, 17 June 1991)

Date	Name and age	Place of residence	Remarks and source
23 June 1991	Izam Ayub Shehadeh Za'arur	Hebron	Killed by troops during stone-throwing incident. The troops reportedly tried to arrest him before opening fire. He died on his way to hospital. (H, JP, 24 June 1991; AF, 1 July 1991)
29 June 1991	Nashan Sakkar (17)	Mughair village, near Nablus	Died in hospital of injuries sustained the previous days during a clash with troops. (H, 30 June 1991; AF, 8 July 1991)
10 July 1991	Riyadh Mazaran (31)	A-Ram, north of Jerusalem	Killed by troops who opened fire at a group of masked men who attacked them with knives. Had been wanted for armed robbery and had served several prison terms. (H, JP, 12 July 1991)
13 July 1991	Hani Obeidi (19)	Jenin	Killed by border police troops who opened fire at youths who threw a petrol bomb at them. (H, JP, 14 July 1991)
18 July 1991	Walid Khaled Zaki a-Sawki (17)	Jenin	Killed by troops when they opened fire at three armed suspects who failed to obey orders to halt. The victim was member of the Black Panthers. A Kalashnikov rifle was found in his possession. (H, JP, 19 July 1991)

Date	Name and age	Place of residence	Remarks and source
27 July 1991	Nimer Issa a-Sabah (18)	Nur Shams camp	Killed in unclear circumstances. According to Palestinian sources he was killed in an ambush by undercover troops. Had been wanted for a long time. The incident was being investigated by the IDF and the police. (H, JP, 28 July 1991)
29 July 1991	Nabil Hamad (21)	Silwad, near Ramallah	Killed by troops who opened fire at stone-throwers. (H, JP, 30 July 1991)
5 Aug. 1991	Osama Aruki (17)	Shati' camp	Killed by troops who opened fire at masked youths who were painting graffiti and disobeyed orders to halt. (H, JP, 6 Aug. 1991)
9 Aug. 1991	Mohammad Yacub Meshalah (17)	Shati' camp	Died in hospital of wounds sustained on 5 August 1991, when he was shot in the head by troops during a violent clash. (H, JP, 11 Aug. 1991)
10 Aug. 1991	Mohammad Yamin (21)	Nablus	Killed by troops after he was spotted holding a knife and disobeyed an order to halt. (H, JP, 11 Aug. 1991)

Date	Name and age	Place of residence	Remarks and source
10 Aug. 1991	Riad Jahad (16)	Tulkarm	Killed by troops when they accosted three masked men preparing a roadblock, one of whom was holding a petrol bomb. (H, JP, 11 Aug. 1991)
11 Aug. 1991	Harud Daniel Kulsabian (17)	Ramallah	Killed by troops during a stone-throwing incident. The army was investigating the circumstances. (H, JP, 12 Aug. 1991)
14 Aug. 1991	Rafat Ibrahim al-Fasis (16)	Shati' camp	Died in hospital of wounds sustained the previous week when troops shot at masked youths during a riot. (H, JP, 15 Aug. 1991)
18 Aug. 1991	Muhammad Omar Zakarneh (30)	Kabatiya	Killed by troops while he was standing on his balcony during a stone-throwing incident. The army was investigating the incident. (H, JP, 19 Aug. 1991)

(b) List of other Palestinians killed as a result of the occupation

Date	Name and age	Place of residence	Remarks and source
1 April 1991	Ibrahim Mohammed Ali Najim (33)	Kalkilya	Shot dead by masked assailants. (JP, 2 April 1991)
1 April 1991	Farah Abu-Jarada (55)	Rafah	Shot dead by masked assailants. (H, JP, 2 April 1991)
2 April 1991	Omar Assaf (38) and Mahmud Kamel (35)	Kabatiya	Shot dead by masked youths. (H, JP, 3 April 1991)
2 April 1991	Hatem Salameh (50)	El-Bireh	Shot dead by an assailant. (H, JP, 3 April 1991)
2 April 1991	Omar el-Kesi (33)	Ramallah	His mutilated body was found after he was abducted by masked men. (JP, 3 April 1991)
2 April 1991	Bazawil al-Attari (27)		Died in hospital of wounds sustained on 27 March 1991, when masked men beat her severely. (H, 3 April 1991)
8 April 1991	Daoud Lubbah (or Lahluh) (50)	Jenin	Stabbed to death by three assailants. Was the principal of the Arrabah secondary school and a relative of the appointed mayor of Jenin. (H, JP, 9 April 1991)
8 April 1991	Nabil Hamad (22)	Rafah	Stabbed to death in unclear circumstances. (H, JP, 9 April 1991)

Date	Name and age	Place of residence	Remarks and source
8 April 1991	Yahya al-Ahwal (22)	Gaza	His body was found with hands and legs tied. Had been shot dead in unclear circumstances. (JP, 9 April 1991)
10 April 1991	Muhammad Kamal (40)	Arrabah, near Jenin	Was found shot dead near the village of Zababda, after he was abducted by masked men belonging to the Black Panther gang. Was the former head of the Village League in the region. (H, JP, 14 April 1991)
11 April 1991	Unidentified (about 30)	Ramallah	A body with marks of violence and torture was found. (H, 12 April 1991)
13 April 1991	Abed Odeh (30)	Nablus region	Killed with a sharp instrument. The circumstances were not clear. (H, 14 April 1991)
14 April 1991	Jamil Dweikat (50)	Beita	His body was found near Elon Moreh settlement, after he disappeared from his home one month earlier. Was apparently beaten to death with blunt instruments. (H, 15 April 1991)
15 April 1991	Abdallah Yunis (51)	Rafah	A police officer in the Gaza district police. Was shot dead by masked youths. (H, JP, 16 April 1991)

Date	Name and age	Place of residence	Remarks and source
20 April 1991	Arafat Habeibeh (35)	Sanur, near Jenin	Beaten to death after being abducted by masked and armed men. (H, JP, 21 April 1991)
21 April 1991	Lutfi Aloual (35)	Fahma, near Jenin	Shot dead after being abducted by masked men. (JP, 22 April 1991)
23 April 1991	Muhammad Salim Fares (64)	Rafah	Shot dead by masked men. (JP, 24 April 1991)
23 April 1991	Hassan al-Id (19)	Rafah	Shot dead by masked men. (H, 24 April 1991)
23 April 1991	Hader Badani (38)	Yabad, near Jenin	His body, bearing stab wounds, was found two days after he was abducted. (H, 24 April 1991)
24 April 1991	Muhammad al Rattas (43)	Rafah	A secondary school teacher. Stabbed to death by masked men. (H, JP, 25 April 1991)
24 April 1991	Jamal Abd el-Majid Jodeh (32)	Rafah	Shot dead by masked men. (H, JP, 25 April 1991)
26 April 1991	Ali Bidwan (25)	Bureij camp	Shot dead by four masked men. (H, JP, 28 April 1991)
26 April 1991	Subhi Hamdan (25)	Bal'a, near Tulkarm	His body was found after he was abducted by masked men. (H, JP, 28 April 1991)
30 April 1991	Hamdiya Taber (27) (or Mamduh Doher)	Rafah	Shot dead. (H, 1 May 1991)
1 May 1991	Jamal Ahmed Kadi (30)	Khan Younis	Stabbed to death by masked men. (H, JP, 2 May 1991)

Date	Name and age	Place of residence	Remarks and source
1 May 1991	Muhammad Abu al-Kheir (40)	Silat-a-Hartiya, near Jenin	Shot dead by masked uniformed men. (H, JP, 3 May 1991)
2 May 1991	Ghassan Abu Nida (22)	Jabalia camp	(H, JP, 3 May 1991)
4 May 1991	Unidentified	Bureij camp	Killed by masked men. (H, JP, 5 May 1991)
6 May 1991	Wahel Musssa (35)	Tulkarm	His body was found in Tulkarm several days after he was kidnapped by masked men. (H, 7 May 1991)
7 May 1991	Abd el-Karim Bazur (47) and his wife Huriya Najid Nazal (55)	Raba village, near Jenin	Shot dead by masked youths. Their bodies were left in the centre of the village. The man was a driver and his wife an elementary school principal in Kabatiya. (H, JP, 8 May 1991)
9 May 1991	Khalil Ahmed Nimer and Jihad Omar	Am'ari camp, El-Bireh	Their bodies were found in the Ramallah area after they were kidnapped by masked men. (H, 10 May 1991)
12 May 1991	Ziad Muhammad Khatib (21)	Rafah	An inmate at the Ketziot detention. Was killed by another inmate, Ahmed Aruki (31) from Shati'. (H, 13 May 1991)
13 May 1991	Riad Abu Shehadeh (19)	Bani Suheila	Stoned to death by masked men. (H, JP, 14 May 1991)

Date	Name and age	Place of residence	Remarks and source
13 May 1991	Ibrahim Hindi (45)	Hawara	His body, with stab wounds, was found in the schoolyard of Hawara. The reasons for the killing were unknown. (JP, 14 May 1991)
13 May 1991	Ahmed Ayash (47)	El-Bireh	His body, bearing stab wounds, was found. The reasons for the killing were unknown. (JP, 14 May 1991)
14 May 1991	Ziad Abu a-Nabi (27)	Am'ari camp	His body, with marks of violence, was discovered in the Ramallah area. (H, JP, 15 May 1991)
14 May 1991	Nasser Abu Taib (42)	Bani Suheila	Beaten to death by masked men. (JP, 15 May 1991)
15 May 1991	Munir Yassin (24)	Shati' camp	Killed by masked men. Was the cousin of Sheikh Ahmed Yassin, leader of the Hamas movement. (H, JP, 16 May 1991)
15 May 1991	Samir Abu-Fayad (25) (or Abu Riad)	Nuseirat camp	Died in hospital of wounds sustained on 5 May 1991, when he was attacked by masked youths. (H, JP, 16 May 1991)

Date	Name and age	Place of residence	Remarks and source
22 May 1991	Muhammad Taher Daniani (63)	El-Bireh	Former mukhtar of the town. Was shot dead by masked gunmen who fired at him from a passing car. (H, JP, 23 May 1991)
24 May 1991	Nabila Abu-Kafaf (27)	Khan Younis	Kidnapped by four masked men. Her body, with marks of violence, was discovered later. (H, 26 May 1991)
24 May 1991	Suheil Abd el-Muhsein Hindi (23)	Ein Arik, near Ramallah	His body, with marks of violence, was found near his village. Was a Fatah activist. (H, 26 May 1991)
25 May 1991	Imad Abd el-Hamad (21)	Gaza	Killed by masked men. (H, 26 May 1991)
25 May 1991	Rabah Ismail Awal (33)	Jabalia	His body was found after he was kidnapped from his home. (H, 26 May 1991)
26 May 1991	Salah Hamarneh (39)	Khan Younis	Killed by masked men. (H, JP, 27 May 1991)
26 May 1991	Hitam Muhammad Mustafa (25)	Burkin	Stabbed to death. (H, JP, 28 May 1991)
28 May 1991	Muhammad Awad (35)	Jabalia camp	Killed by masked men. (JP, 29 May 1991)
30 May 1991	Fawzi Bandis (42)	Hebron	Killed by masked men. (H, 31 May 1991)
1 June 1991	Hussein Abu Yusuf (17)	Nuseirat camp	Killed in the explosion of a hand grenade. The victim was among masked youths. (H, JP, 2 June 1991)

Date	Name and age	Place of residence	Remarks and source
1 June 1991	Lama'a Shaat (45)	Rafah camp	Shot dead by masked men. Was a mother of four. (JP, 2 June 1991)
1 June 1991	Unidentified woman (22)	Khan Younis	Killed by masked men. (H, 2 June 1991)
5 June 1991	Ibrahim Awad (31)	Shati' camp	His body was found with bullet wounds in the head. (JP, 6 June 1991)
7 June 1991	Yusuf Taleb Mussa Mushrif (36)	Mughazi camp	Killed by masked men, inside a mosque, during the Friday prayer. (H, 9 June 1991)
7 June 1991	Ahmed Atallah Abu-Matar (18)	Nuseirat camp	Strangled to death. His body was found in Mughazi camp. (H, 9 June 1991)
9 June 1991	Shehadeh Ali Rehawi (26)	Rafah	Killed by unidentified attackers. (H, 10 June 1991)
10 June 1991	Mahmud Jaraka (45)	Arrabeh, near Jenin	Shot dead after being abducted by masked men. (H, 11 June 1991)
11 June 1991	Sabah al-Batabli (22)	Mughazi camp	Stabbed to death by seven masked men who also beat and seriously injured her father, Ahmed (52) who was trying to protect her. (H, JP, 12 June 1991)
22 June 1991	Hussein Al-Hilou (45)	Nuseirat camp	His body, with marks of torture, was found three days after he was abducted from his home by masked men. (H, JP, 23 June 1991)

Date	Name and age	Place of residence	Remarks and source
24 June 1991	Muhammad Abu-Khatabi (27)	Nuseirat camp	His body was found several days after he was abducted by masked men. (H, JP, 25 June 1991)
25 June 1991	Hatem Anadi (28)	Gaza	Stabbed to death after being abducted from his home by masked men. (JP, 26 June 1991)
26 June 1991	Suleiman Abu Shrur (37)	Nuseirat camp	Killed after being kidnapped by masked men. (JP, 27 June 1991)
27 June 1991	Adel Sadat (60)	Arrabeh	Killed after being kidnapped by masked men belonging to the Fatah-affiliated Black Panther group. (H, 28 June 1991)
29 June 1991	Suheil Ajal (32)	Am'ari camp	A butcher. Killed in his shop in the El-Bireh market by an attacker who fired at him at point-blank range and then escaped. (JP, 30 June 1991)
30 June 1991	Khaled Karim (21)	Gaza	His strangled body was found in Deir el-Balah. (JP, 1 July 1991)
5 July 1991	Mazen Abu-Sawi (23)	Artas, near Bethlehem	Shot dead by a group of masked youths. (H, JP, 7 July 1991)

Date	Name and age	Place of residence	Remarks and source
9 July 1991	Lutfi Mahmud Abu Ras (26)	Daraj, Gaza	Stabbed to death by three masked men while being hospitalized in the Shifa hospital following an attack by masked men the previous day. (H, JP, 10 July 1991)
13 July 1991	Atallah Suleiman Rauj (33)		An inmate at the Ketziot jail. Killed by another inmate, Jamal Abdallah Khalil. (H, JP, 14 July 1991)
15 July 1991	Jaffar Salem Jaffar (30)	Sajai'ya, Gaza	Died in hospital of wounds sustained the previous day when masked men attacked him with axes. (H, JP, 16 July 1991)
19 July 1991	Muhammad Taleb Harara (41)	Gaza	An inmate at the Ketziot jail. Was killed by another inmate, Raji Arasha (23) from Khan Younis. (H, JP, 21 July 1991)
24 July 1991	Dr. Majed Tawfik Muhammad Abush (57)	Jenin	Director of the Jenin government hospital. Was shot dead by two masked men. (H, JP, 25 July 1991)
27 July 1991	Suleiman al-Jalawi (29)	Nuseirat camp	Shot dead by masked men. (H, JP, 28 July 1991)
30 July 1991	Munir a-Rai (33)	Nuseirat camp	Killed by masked men while being hospitalized in Shifa hospital for a previous attack by masked men. (H, JP, 31 July 1991)

Date	Name and age	Place of residence	Remarks and source
30 July 1991	Muhammad Ahmed Abu-Haya (43)	Bani Suheila	Shot dead by masked men. (H, JP, 31 July 1991)
31 July 1991	Abd el-Salem Raba (70)	Fandakumiya, near Jenin	Killed during a scuffle between a family and other villagers, apparently as a result of inhaling tear-gas. The incident is investigated by the police. (H, JP, 1 August 1991)
1 Aug. 1991	Yussuf Lutfi Kaisi (45) (or Ali al-Aweida (52))	Kadura camp, near Ramallah	Killed by masked gunmen. (H, JP, 2 Aug. 1991)
5 Aug. 1991	Ali Assad Abu Rab (34) and Muhammad Najib Abu Rab (29)	Kabatiya, near Jenin	Killed by masked gunmen. (H, JP, 6 Aug. 1991)
6 Aug. 1991	Muhammad el-Hasi (37)	Shati' camp	Died in hospital of injuries sustained the previous day by masked men who attacked him with axes. (H, JP, 7 Aug. 1991)
9 Aug. 1991	Abdallah Araj (45)	Walajah village, near Bethlehem	Killed by masked men after he was kidnapped from his home and was beaten and axed. (H, JP, 11 Aug. 1991)
9 Aug. 1991	Ali Mahmud Ahmed Jaber	Nuseirat, Gaza Strip	Killed after being abducted and tortured by masked men. (H, JP, 11 Aug. 1991)

Date	Name and age	Place of residence	Remarks and source
10 Aug. 1991	Shukri Dweikat (33)	Nablus	Killed by masked men in Ramallah hospital, where he arrived a few days earlier with wounds sustained in a brawl between two groups. (H, JP, 14 Aug. 1991)
13 Aug. 1991	Muhammad Salawda (57)	Duma village, near Nablus	Killed by masked gunmen. (H, 19 Aug. 1991)
18 Aug. 1991	Daud Suleiman Abu Salik (40)	Khan Younis	Killed by masked men. (H, JP, 19 Aug. 1991)
18 Aug. 1991	Jihad Hassanein (26)	Khan Younis	His body, with marks of beatings and electrocution, was found in the yard of his grandfather's house. (H, JP, 19 Aug. 1991)
18 Aug. 1991	Mustafa Abu Ara (47)	Aqaba village, near Jenin	Killed by members of the Revolution Eagles group. (H, 21 Aug. 1991)

(c) Other incidents linked with the uprising

Oral evidence

50. Many witnesses, usually referring to their personal experience, testified on the climate of fear and confrontation prevailing in the occupied territories since the beginning of the popular uprising against the occupation.

51. Mention was made in this regard of daily incidents punctuating life in the occupied territories, such as army raids, shootings, tear-gas throwing, beatings, affecting all categories of people, often at random:

> "We were staging a demonstration to commemorate the martyrdom of Mohammad Aizat. During the demonstration we threw stones at the Israeli soldiers. There were several of us injured and I was one of them. ...
>
> "The whole area was besieged by the Israeli soldiers. Usually, when there is such a demonstration or participation in a funeral march, the army surrounds the area.
>
> "So, on that day I received a bullet in my backbone. I fell on the ground. The occupation forces caught me, as I was unable to move. They tried to force me to walk, but I couldn't walk, because my injury was in my backbone. I was immediately paralysed, I could not move. Many people tried to come to my rescue, especially the women. But the army started firing bullets at them, so nobody could get to me and help me. The soldiers started hitting me with clubs and with their guns. In spite of my injury, they took me in their car to their military camp of Jabalia. They made me take off my clothes completely and ordered me to sit on a table. All the time, they were hitting and beating me with clubs, because they wanted to know from me the names of the young persons who had been participating in the demonstration. I refused to talk, to give them any information. ...
>
> "I stayed under such torture and interrogation from 5 o'clock in the afternoon until 10 at night. All throughout these five hours, I was beaten and the rain was falling on me. My family contacted the Red Cross. The people of the Red Cross came to the camp and took me to Shifa Hospital. When I was taken to the camp first, my family did not know anything about me and where I was. They were looking for me everywhere. In the hospital, I was operated at about 11 in the evening. After the operation, the Israeli officer in charge kept asking the hospital about my condition, because he wanted to know when I would get better, so that he could take me back to prison." (Mr. Omar Nasr, A/AC.145/RT.570)
>
> "It was in the morning, about 6 o'clock, last year. The army personnel knocked on the door. I opened it. I have a brother who is 24 years old. He was asleep in his bed. One soldier went to him and started beating him. So I asked the soldier why he was beating my brother. They said that he had thrown stones. I told them that he had

not been out of the house. The soldiers asked me to hand over my brother within 10 minutes. I made him escape through another door. They came back 10 minutes later and I told them that I did not know where my brother was and could not hand him over to them. They started beating me all over, on almost every part of my body. I was very badly hurt, on the point of dying. There was a knife on the table, I took it, but actually I can't even remember whether I hit them with the knife or not. One soldier fired at me, at my leg. I fell to the ground. He hit me with his shoes, on the place where the bullet was, on the head, on all other parts of my body. I was unconscious and did not feel anything afterwards. An ambulance came to take me. But the army did not allow me to go with the ambulance, and they took me to the headquarters of the military governor. They said that it is impossible for me to get medical help. But the Red Cross intervened and they insisted that I should get medical care. So I was taken to hospital and my leg was operated. I had two operations, one in my leg and one in my nose. I had a broken nose because of the beating I had received." (Anonymous witness, A/AC.145/RT.567)

"When they ask a young man to remove a slogan, for instance, they do not take into consideration whether he is related or not with the uprising. They act very indiscriminately. They just come to the houses, break everything on their way. Their violent actions are not necessarily directed only towards people who are related with the intifadah, or towards families of detainees." (Anonymous witness, A/AC.145/RT.560)

"Once, as we were staying at home, the soldiers put up barricades in the street at the height of our house. They knocked on our door. As we opened it, we found out that they had stopped two cars, taken the young people out of the cars, and were hitting them. They made them transport some big rocks up the steps of our house. That was like a punishment. The soldiers came into our house, searched everywhere. They would find anything in order to harass the people." (Anonymous witness, A/AC.145/RT.560)

52. One anonymous witness referred to the resort of the Israeli intelligence to collaborators in order to kill uprising activists:

"The Israeli intelligence might be able to kill a person, if they don't want him, making use of their spies. They want to stop this uprising at any cost. Now they are collaborating with certain people and they make sure that the suspected person can be stabbed. Any active person may run the risk of being stabbed. If somebody is stabbed, he is considered to be a collaborator with the Israeli intelligence. Now the Israeli authorities are trying to kill innocent people. To fight an activist, they would first try to arrest him, detain him, impose fines on him. If all this fails, they might get rid of him. That happened actually one week ago. We had a problem in the village. They killed a person at 6 o'clock in the morning. This man was stabbed and he died." (A/AC.145/RT.560)

53. The particularly tense atmosphere during the Gulf war was also referred to by several persons. One anonymous witness stated in that regard:

> "During the Gulf war, they searched the village, searched the houses, hit the children, and they took away my eldest son and sentenced him to six months of administrative detention. One of the girls, the youngest one, was also imprisoned, from the school. She was held in prison for one month. The soldier who took her hit her on the back." (A/AC.145/RT.560)

54. Testimonies relating to the incidents linked with the popular uprising may be found in documents A/AC.145/RT.559 (Mr. Hassan Odeh Ahmad Odeh); A/AC.145/RT.559/Add.1 (an anonymous witness); A/AC.145/RT.560 (four anonymous witnesses); A/AC.145/RT.562 (an anonymous witness); A/AC.145/RT.563 (Mr. Mahfouz Jaber); A/AC.145/RT.565 (two anonymous witnesses); A/AC.145/RT.567 (two anonymous witnesses); A/AC.145/RT.569/Add.1 (an anonymous witness); A/AC.145/RT.570 (Mr. Omar Nasr); A/AC.145/RT.570/Add.1 (two anonymous witnesses); and A/AC.145/RT.573 (an anonymous witness).

Written information*

55. On 1 April 1991, clashes with troops were reported in refugee camps in the Gaza Strip, as the widespread curfews imposed over the Easter and Passover holidays were lifted. Two residents of Jabalia camp were injured. In Tulkarm a youth armed with a knife tried to attack a group of soldiers. They shot at him and he managed to escape. (Ha'aretz, 2 April 1991)

56. On 2 April 1991, a sharp increase was reported in the number of killings (see list). In violent clashes that continued in the Gaza Strip 18 people were injured, principally in Sheikh Radwan and in Rafah. Shu'fat camp, north of Jerusalem, was sealed off by border police following rioting. (Ha'aretz, 3 April 1991; Al-Fajr, 8 April 1991)

57. On 3 April 1991, there were several stabbing attempts against soldiers in the Gaza Strip. In one case the attacker was a Rafah school girl, who was overpowered and detained. Two Gaza residents were injured in clashes with troops. In Tulkarm, masked men attacked a vendor. The man was taken to hospital. (Ha'aretz, Jerusalem Post, 4 April 1991)

58. Fierce clashes were reported during the weekend of 4, 5 and 6 April 1991 in the Gaza Strip. Five people were injured, four of them seriously. Several youths were injured in clashes in Jenin and Yabad, in the West Bank. (Ha'aretz, 7 April 1991; Al-Fajr, 8 and 15 April 1991)

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 19 to 103 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 19 to 112 of document A/46/282.

59. On 7 April 1991, four petrol bombs were thrown at IDF patrols in the Gaza Strip. No one was hurt. In a small number of clashes three people were injured in Gaza and Jabalia. (Ha'aretz, 8 April 1991; Al-Fajr, 15 April 1991)

60. On 8 April 1991, three people were killed (see list) and a female lawyer, Rasmiya Khaled (37), was attacked with axes and seriously injured. (Ha'aretz, 9 April 1991)

61. On 9 April 1991, a general strike was observed in the territories to mark 41 months since the beginning of the uprising. Clashes were reported in the Gaza Strip: three people were injured. (Ha'aretz, 10 April 1991)

62. On 10 April 1991, a makeshift charge was thrown at an IDF patrol in Rafah. No one was hurt. Jenin and the nearby camp were placed under curfew following the murder of a relative of the town's mayor (see list). The Red Eagle gang claimed responsibility for the murder. In Ein Beit al-Ma troops arrested wanted residents. (Ha'aretz, 11 April 1991)

63. On 11 April 1991, a small number of incidents were reported. Troops carried out search and arrest operations in several West Bank camps and villages. In Dheisheh, several youths were beaten by troops. In Karawat Bani Zeid, near Nablus, troops captured a man who had been wanted for over two years, Yusuf Ozril, from Salfit. (Ha'aretz, 12 April 1991)

64. A small number of incidents were reported over the weekend of 12 and 13 April 1991, principally in the Gaza Strip, where four people were injured. In Rafah a youth attacked a soldier and stabbed him in the arm. The youth was shot and injured by another soldier. In Beita, near Nablus, troops carried out a search and arrest operation, using helicopters, while Civil Administration personnel collected taxes. During the operation the village was placed under curfew. (Ha'aretz, 14 April 1991)

65. On 14 April 1991, attacks and abductions of people were reported in Nablus and Beita (see list). In Hebron a Palestinian driver tried to run over two soldiers, injuring one, before being shot dead by the other. A passenger who was in the car together with the driver was injured and taken away by soldiers. Relative calm prevailed in the Gaza Strip. Two people were injured in a clash in Gaza. (Ha'aretz, 15 April 1991)

66. On 15 April 1991, several serious incidents and clashes were reported. A senior Palestinian policeman was killed in Rafah (see list), and a youth was shot dead in Ramallah (see list). The youth's 11-year-old brother, Islam al-Sabar, was later taken to hospital in serious condition after being run over by an Israeli civilian vehicle (in an incident described as related to the stone-throwing and shooting one in which his brother was killed). Five people were injured in clashes in Gaza and Rafah. Over 200 masked and armed youths demonstrated in the Rafah camp to commemorate the third anniversary of the killing of Abu Jihad. A hand-grenade was thrown at an IDF patrol in Rafah. No one was hurt. (Ha'aretz, Jerusalem Post, 16 April 1991; Al-Fajr, 22 April 1991)

67. On 16 April 1991, four people were shot and injured in clashes in Rafah, Kha Younis and Jabalia. The territories were sealed off from Israel on the occsion of the Israeli Independence Day. Preventive curfews were imposed in sevral areas, mainly in camps in the Gaza Strip. (Ha'aretz, 17 April 1991; Al-ajr, 22 April 1991)

68. On 17 and 18 April 1991, relative calm prevailed in the territories over Indpendence Day, on which Palestinians from the territories were barred from entring Israel. Four people were injured in clashes in the Gaza Strip. Marhes and demonstrations were held in several West Bank towns to commemorate AbuJihad's killing. The IDF did not intervene. Several thousand Israelis toc part in a Gush Emunim-sponsored march in the West Bank, in support of coninued settlement in the region. (Ha'aretz, Jerusalem Post, 19 April 1991; Al-ajr, 22 April 1991)

69. On 19 and 20 April 1991, a general strike called by the Hamas movement wasobserved in the Gaza Strip. Three people were shot and injured in Jabalia andKhan Younis. A petrol bomb was thrown at an Israeli car south of Hebron, injring an Israeli civilian and a soldier. (Ha'aretz, 21 April 1991)

70. On 21 April 1991, five people were injured in clashes in Rafah, Kha Younis and Jabalia. An IDF officer was slightly injured in the head by a stoe in Khan Younis. IDF troops carried out search and arrest operations in sevral West Bank villages. In Silat a-Hartiya near Jenin, troops shot and serously injured Muhammad A-Zayub. In Aja, masked men shot and seriously injred Lutfi a-Wahil (35). The shooting sparked violent scuffles in the vilage. In Wadi Joz an unidentified assailant stabbed a Jewish resident of Jensalem, Nissim Siani, slightly injuring him in the throat. (Ha'aretz, 22 pril 1991)

71. On 23 April 1991, three people were killed (see list) and several injred, including Ghazi al-Majid (25), from Deir el-Balah, who was seriously wouded. Two people were shot and injured by troops in clashes in the Gaa Strip. In Shu'fat camp youths stoned border policemen, who responded wih tear-gas and firing of rubber bullets. No casualties were reported. (Haaretz, Jerusalem Post, 24 April 1991; Al-Fajr, 29 April 1991)

72. On 24 April 1991, a partial strike was observed in the West Bank. Seeral marches and demonstrations were held. Two persons were killed (see lit) and a Rafah youth was shot dead when he approached soldiers guarding the Ciil Administration building in Rafah "in a manner which aroused suspicion" (se list). (Ha'aretz, Jerusalem Post, 25 April 1991; Al-Fajr, 29 April 1991)

73 In clashes over the weekend of 26 and 27 April 1991 four people were inured in Rafah and Khan Younis. Rafah was placed under curfew. In a cotinuing wave of violence two were killed (see list) and a Gaza resident, Dib Alia (34), was kidnapped by three masked men in Jaffa. Several children wee among people shot and wounded in the West Bank. Nidal Basi (11) was shot inthe head by a live bullet during a clash between Hamas activists and troops inNablus. He was taken to hospital in serious condition. In Askar camp,

Rima Arafeh, an 11-year-old girl, was shot by a live bullet during a clash with troops and was hospitalized in moderate condition. An IDF soldier was injured in the explosion of a charge in Hebron. The town was placed under curfew. In Balata camp an entire family was taken to hospital after a tear-gas grenade was thrown into their home. (Ha'aretz, Jerusalem Post, 28 April 1991; Al-Fajr, 29 April 1991)

74. On 28 April 1991, clashes were reported in Rafah and Khan Younis, where some 11 people were shot and injured. A masked youth armed with a knife was shot and seriously injured. In a clash in Nablus Fadi Ibrahim (20) was shot and injured. (Ha'aretz, Jerusalem Post, 29 April 1991)

75. On 29 April 1991, four people were injured in clashes in Rafah and Jabalia. Two petrol bombs were thrown at an IDF patrol in the Katif bloc, in the southern Gaza Strip, causing neither damage nor injuries. A soldier was slightly injured by a stone in Shati' camp. (Ha'aretz, 30 April 1991; Al-Fajr, 6 May 1991)

76. On 30 April 1991, a French tourist, Annie Ley (64), was stabbed to death in the centre of Bethlehem. She was with a group of 15 French pilgrims. The assailant managed to escape. Police and military forces arrested dozens of suspects and the area of the incident was placed under curfew. The town was declared a closed military area. In clashes in the Gaza Strip four people were injured. A Rafah resident, Amer al-Majid (28), was captured near Lod, Israel, after he stabbed and slightly injured an Israeli civilian. Four Israeli girls were slightly injured when the bus in which they were travelling was stoned near Maaleh Adumim. In Tulkarm camp security forces detained Mahmud Mahdawi (28), a Hamas activist who had been wanted for over a year. (Ha'aretz, Jerusalem Post, 1 May 1991; Al-Fajr, 6 May 1991)

77. On 1 May 1991, in a serious clash in Khan Younis, 10 IDF soldiers and 2 Palestinians were injured. The clash broke out after troops captured a masked youth. The troops were attacked by an angry crowd, using blocks and stones. The troops opened fire and used tear-gas to disperse the crowd. Clashes were also reported in Shu'fat and Ramallah. (Ha'aretz, Jerusalem Post, 2 May 1991)

78. On 2 May 1991, demonstrations and stone-throwing incidents were reported in Shu'fat and other areas in East Jeruslem. In clashes in the Gaza Strip three people were injured. A violent incident occurred in Jabalia (see list). In other incidents, a 12-year-old girl, Nahala Isteti, was shot, allegedly from a military outpost, and was hospitalized in Jenin. Mahdi Abu-Ghazala (19) was shot in the head in Nablus in unclear circumstances and was taken to hospital. (Ha'aretz, Jerusalem Post, 3 May 1991)

79. On 3 and 4 May 1991, in clashes over the weekend several people were injured: four in Khan Younis and Jabalia; three from the village of Aqaba, near Jenin, when settlers attacked shepherds with rifle-butts, and a 14-year-old boy from Siir who was injured in the explosion of a charge he was manipulating. Violent clashes were reported in Nablus. In A-Tur, East Jerusalem, two petrol bombs were thrown at a border police patrol. The patrol

members opened fire at the attackers but there were no reports of injuries. (Ha'aretz, Jerusalem Post, 5 May 1991; Al-Fajr, 6 May 1991)

80. On 5 May 1991, clashes were reported in Rafah and Gaza; five people were injured. Two petrol bombs were thrown at the Civil Administration offices and at an IDF post in Rafah. The IDF carried out a search and arrest operation in Tamun; in the ensuing clashes a 15-year-old boy was shot and injured. (Ha'aretz, Jerusalem Post, 6 May 1991; Al-Fajr, 13 May 1991)

81. On 6 May 1991, clashes were reported in Rafah, Khan Younis and Jabalia camps; three were injured. A Rafah youth was injured by masked men who attempted to kill him, and was hospitalized. One person was killed in an incident in Tulkarm (see list). (Ha'aretz, 7 May 1991)

82. On 7 May 1991, a small number of incidents were reported. In Tubas, Jawad Sawasta (15), was shot and injured by troops. In Hebron, a settler threw a stone at an ABC-TV camerawoman who was filming repair works at a house adjacent to the Hadassah building. The settler was detained by police. In the Gaza Strip, a few clashes were reported in Jabalia, Khan Younis, Shati' and Rafah camps. Two were injured. (Ha'aretz, Jerusalem Post, 8 May 1991)

83. On 8 May 1991, in a small number of incidents in the Gaza Strip three local residents and an IDF soldier were injured. (Ha'aretz, 9 May 1991)

84. On 9 May 1991, a general strike was observed in the territories. A small number of incidents were reported in the Gaza Strip (two injured), Dheisheh camp (a soldier slightly injured) and Jenin. In East Jerusalem a petrol bomb was thrown at an Egged bus; no one was hurt. (Ha'aretz, 10 May 1991)

85. In clashes over the weekend of 10 and 11 May 1991 a youth was killed near Nablus (see list) and eight others were injured, four in the Gaza Strip and four in Yamun village, near Jenin. (Ha'aretz, Jerusalem Post, 12 May 1991)

86. On 12 May 1991, in a small number of incidents in the Gaza Strip four were injured. (Ha'aretz, Jerusalem Post, 13 May 1991)

87. On 13 May 1991, a small number of incidents was reported. In clashes in Rafah, two were injured. In Jaba, near Nablus, troops carried out arrests. In the ensuing riots and stone-throwing the troops opened fire injuring Ala Mustafa, aged 7, Ghazi Zeidan, aged 7, Walid Abu-On, aged 26, and Hamza Hamamra, aged 22. The latter was shot in the chest while being arrested and was reported in a serious condition. (Ha'aretz, Jerusalem Post, 14 May 1991)

88. On 14 May 1991, two people were injured in Gaza in clashes between troops and residents. Four petrol bombs were thrown from the Jerusalem Old City wall at a bus stop. No one was hurt and no damage was caused. (Ha'aretz, Jerusalem Post, 15 May 1991)

89. On 15 May 1991, clashes were reported in Rafah following the killing of a masked youth (see list). Two were injured. Two men were attacked and severely beaten in Gaza. A general strike, called by Hamas to mark the anniversary of Israel's declaration of independence, was widely observed throughout the territories. Hassan Sha'alan, the father of a 15-year-old youth shot dead by soldiers in Ein Beit al-Ma camp on 10 May 1991 (see list), told a correspondent that the IDF version, according to which his son was shot when he disobeyed orders to stop, was not true. He maintained that his son Ahmed had not been involved in a clash with the soldiers, was not fleeing and was shot dead while walking to his room in the camp. (Ha'aretz, Jerusalem Post, 16 May 1991)

90. On 16 May 1991, clashes were reported in Gaza, Jabalia and Rafah camps. Ten people were injured. Two petrol bombs were thrown at IDF patrols in the Gaza Strip. (Ha'aretz, 17 May 1991)

91. One youth was killed (see list) and seven were injured in clashes over the weekend and the Jewish Pentecost holiday (17, 18 and 19 May 1991). Most of the clashes occurred in the Gaza Strip refugee camps. Clashes were also reported in Nablus (two injured: Fawzi al-Amudi (12) and Amar al-Kadumi (15)), Hebron (one injured) and the village of Burka, north of Nablus (Muhanad Haja (17) was injured). A partial business strike was observed in protest over the expulsion of four Fatah activists from Gaza. An explosive charge was thrown at the Gaza district police station. No one was hurt. Four petrol bombs were thrown at IDF patrols in Rafah. No one was hurt. Yasser Tayssir Daud (21), from Beit Diko near Ramallah, was arrested after he stabbed and injured three passers-by in the centre of West Jerusalem. (Ha'aretz, Jerusalem Post, 20 May 1991)

92. On 20 May 1991, a general strike was observed to mark the first anniversary of the killing of seven Arab workers in Rishon Lezion. Most of the Gaza Strip camps were under curfew. A small number of incidents were reported. In East Jersualem, a petrol bomb was thrown at an Egged bus. No one was hurt. In Ein Beit al-Ma, Tawfik Bassiuni (17) was shot and injured during clashes with troops. In Deir Istiya, four residents were beaten during a clash. One had to be hospitalized. An Israeli civilian, David Reuven (60) from Kiron, was stabbed to death in his grocery shop in Petah Tikva. A suspect, a 25-year-old resident of Bidya, was detained. (Ha'aretz, 21 May 1991; Al-Fajr, 27 May 1991)

93. On 21 May 1991, clashes were reported in Rafah, Khan Younis, Bureij and Jabalia camps. Six people were injured. In other incidents, four West Bank youths were shot and injured: Hamad Abu Aisha (20) of Beit-Wazzan; Yussuf Barakat (18) from Kalkilya; Mahmud Washabi (14) from A-Shuada; and Alya Alkayassi, from Bir Zeit. (Ha'aretz, Jerusalem Post, 22 May 1991)

94. On 22 May 1991, a 12-year-old boy, Salem Suliman Hijazi, from Rafah, died and his brother Riad (15) was seriously injured when the two were trying to plant a road-side bomb and the device exploded. Clashes were reported in several Gaza Strip localities. A resident of Jabalia, Rabah Alul, was

abducted by four masked armed men. A 67-year-old resident of Beit Ikra was stabbed in his hand by four Jewish youths in Ramot, East Jerusalem. Two petrol bombs were thrown at the Civil Administration offices in Kalkilya and two others were thrown at an IDF patrol in Jenin. No one was hurt. (Ha'aretz, Jerusalem Post, 23 May 1991; Al-Fajr, 27 May 1991)

95. Six residents of Rafah and Jabalia were injured in clashes over the weekend of 24 and 25 May 1991. In Rafah three petrol bombs were thrown at IDF patrols. No one was hurt. Four persons were killed (see list). (Ha'aretz, 26 May 1991)

96. On 26 May 1991, in clashes in the Gaza Strip four people were injured, and a petrol bomb was thrown at an IDF patrol in Rafah. A Khan Younis man was killed (see list) and two others, Najib Ahmed Salah (50) and Ibrahim Suleiman Daoud (31) were injured by masked men. Two serious shooting incidents occurred in Dura al-Kara and near Hebron, in which two youths were shot and killed by troops (see list). Curfews were imposed in the areas of the incidents. (Ha'aretz, Jerusalem Post, 27 May 1991; Al-Fajr, 3 June 1991)

97. On 27 May 1991, clashes were reported in Jabalia (three injured), Khan Younis (one injured) and Ramallah (one injured). A 10-year-old boy, Mahmud Zeidan, was injured in the abdomen in a shooting incident near Jilabun, in which a youth was killed by an IDF officer (see list). Three people, including four-year-old Abed Abu Tabil, were taken to hospital in Jenin after soldiers opened fire at stone-throwers. Mahmud Said (24) was reported in serious condition after being beaten by soldiers while being arrested in Askar camp several days earlier. (Ha'aretz, Jerusalem Post, 28 May 1991)

98. According to senior military sources in the Central Region Command on 28 May 1991, the level of violence in the West Bank had been decreasing. Nevertheless there were attempts to use fire arms. A small number of incidents were reported in the Gaza Strip (three injured) and in Ramallah (one injured). In Beit Hanina, East Jerusalem, border-policemen chased armed masked demonstrators into a school. Pupils attacked the troops with chairs. The school was ordered closed for a week. (Ha'aretz, Jerusalem Post, 29 May 1991)

99. On 29 May 1991, clashes were reported in Jabalia, Khan Younis, Rafah and Gaza. Four were injured. A Nablus resident was injured in a clash in that town. (Ha'aretz, 30 May 1991)

100. On 30 May 1991, a janitor at a Hebron school was killed by masked men (see list). Clashes and stone-throwing incidents were reported in the Gaza Strip (three injured, including a woman from Khan Younis), Hebron (one injured) and Ramallah. (Ha'aretz, Jerusalem Post, 31 May 1991; Al-Fajr, 3 June 1991)

101. On 31 May 1991, Hussein Abu Yussuf (17), from Nuseirat camp, died in the explosion of a hand grenade, and 20 people were injured in a violent clash that occurred during the night of 30 May 1991 between PLO supporters and

pro-Israel residents. Another youth from the same camp was shot and seriously injured when troops tried to arrest him and he tried to seize a policeman's weapon. In clashes in Jabalia and Khan Younis three people were injured. Three Nablus residents were shot and injured by troops during a scuffle between Fatah and Hamas supporters. The troops intervened after they were stoned. Two people were injured in Dhahiriya when troops opened fire at residents who tried to seize their weapons. In other incidents, two people were injured near A-Til, and a resident of Tubas, aged 18, was shot and seriously injured. Four Nablus residents were beaten by troops during a violent clash. (Ha'aretz, Jerusalem Post, 2 June 1991)

102. Clashes were reported over the weekend (1 June 1991) in Jabalia, Khan Younis and Nuseirat camps in the Gaza Strip. Tension was particularly felt in Nuseirat following the violent incident the previous day in which a youth was killed (see list) and 20 were injured when members of two families - Abu Mahdi and Abu-Zakri - threw a hand-grenade in order to rescue themselves from several masked attackers. Nuseirat remained under the curfew that was imposed after the incident. Another Nuseirat youth was seriously injured by border police when he tried to resist arrest and grab a policeman's weapon. In Rafat several petrol bombs were thrown at troops, but no one was hurt. In Nablus, three were injured when troops opened fire at stone-throwers during clashes between some 1,000 masked youths, supporters of Hamas, and Fatah supporters. The troops intervened when they were stoned. Other violent clashes were reported in Dhahiriya (two injured), A-Til, near Nablus (two injured) and Tubas, where an 18-year-old youth was shot and seriously injured. Several Nablus residents were severely beaten by troops in a violent clash in the town. (Ha'aretz, Jerusalem Post, 2 June 1991; Al-Fajr, 10 June 1991)

103. On 2 June 1991, a serious clash between Hamas and Fatah supporters occurred in Nablus. It followed a week of mounting tension in the town between the two rival groups. Shots were fired, and axes and knives were used. At one point troops had to intervene, firing rubber and plastic bullets. Three Fatah activists were injured by Hamas supporters and two more by troops. A wanted Fatah activist, Omar Saruji (or Masruji) (20) was seriously injured by Hamas men, and was later arrested on his way to hospital by troops. In clashes in the Gaza Strip four were injured. Petrol bombs were thrown in Khan Younis and Jabalia but no one was hurt. (Ha'aretz, Jerusalem Post, 3 June 1991)

104. On 3 June 1991, a full commercial strike was observed in Nablus to protest against the recent violence between Hamas and Fatah supporters. It was reportedly the first time in 24 years that a strike was not directed against the Israeli occupation. Three persons were injured in a small number of incidents. Nabih Abu Saris (10) from Ein Beit al-Ma camp was hit in the head with a rubber bullet; Mahmud Issa Muhammad (28) from Dura was shot and injured when he tried to avoid a road-block near Idna. A third man was injured when border police spotted two masked men near Ramallah and ordered them to stop. The troops opened fire when the men ignored the order. (Ha'aretz, Jerusalem Post, 4 June 1991)

105. On 4 June 1991, in clashes in Nablus two were shot and injured: a 43-year-old woman, Amina Abu Jamhur, and Hussam a-Saba. In a small number of clashes in the Gaza Strip three were injured. Two petrol bombs were thrown at IDF patrols in Rafah, causing no damage. (Ha'aretz, 5 June 1991)

106. On 5 June 1991, seven people were injured in violent incidents in the West Bank, particularly in Nablus, Ein Beit al-Ma camp and nearby villages, and three in the Gaza Strip, on the twenty-fourth anniversary of the June 1967 war. In Ramallah, a hand-grenade was thrown at an Israeli car with settlers from Beil El. A woman passenger was injured. Four other Israelis were injured, including a woman who was seriously wounded, when their car left the road near Kalkilya and crashed into rocks, after being hit by stones. A Salfit resident, wanted by the security authorities, was shot and injured when he violated the curfew and failed to stop. He was taken to hospital. In a small number of incidents in the Gaza Strip three were injured and several petrol bombs were thrown without causing damage. (Ha'aretz, Jerusalem Post, 6 June 1991; Al-Fajr, 10 June 1991)

107. On 6 June 1991, a business strike, called by the Islamic Jihad, was observed in the West Bank. Violent incidents were reported in Kalandia and Zubabda, where an 11-year-old boy, Wahid Salah, was beaten by troops and had his arm broken. Lina Naji (20) was injured from a bullet in her hand. In Kalandia troops stationed in an observation post at the entrance to the camp, broke into a nearby house and threw a "stock-grenade". One person was injured when he picked it up in his hand and the device went off. In Jenin, a petrol bomb was thrown at a military vehicle. Troops opened fire, broke into a nearby house, arrested three men and beat two others. Another petrol bomb was thrown at a control post in Jenin jail. In the Gaza Strip clashes were reported in Khan Younis, Rafah, Jabalia and Gaza. Five were injured. (Ha'aretz, 7 June 1991; Al-Fajr, 10 June 1991)

108. A small number of stone-throwing incidents were reported over the weekend of 7 and 8 June 1991. Three were injured in the Gaza Strip in clashes in Jabalia and Khan Younis camps, and one in Ramallah. A hand-grenade was thrown at an IDF patrol near Umm Safa, in Ramallah district. The grenade exploded but no one was hurt. In Mughazi camp in the Gaza Strip one person was slain in a mosque, before dozens of worshippers (see list). A serious incident occurred near Yatta when a settler shot dead an Arab shepherd (see list and settlers' activities). Palestinian sources said the settler shot 20 sheep after the Arab shepherd refused to leave the area. Police said other Arab shepherds began hitting the settler on the head with sticks. He then pulled out a gun and fired a shot, killing the Arab shepherd. The settler was taken to hospital and later arrested. (Ha'aretz, Jerusalem Post, 9 June 1991)

109. On 9 June 1991, there were four incidents of firing at Israeli cars or throwing hand-grenades and petrol bombs. An explosive charge was thrown at an IDF patrol in Nablus; it was reportedly activated by remote-control. No one was hurt. Faisal Husseini was attacked by a large group of settlers and Kach members as he was leaving the police headquarters at the Russian compound, West Jerusalem. The settlers were there by coincidence to attend a remand

hearing of the settler who killed an Arab shepherd. Husseini had been summoned to the police to receive some documents dating back to his questioning in the past. When the settlers recognized him they cursed him, spat at him, pushed him and threw stones at his car. Policemen who eye-witnessed the incident did not interfere. The police decided to open an inquiry. (Ha'aretz, Jerusalem Post, 10 June 1991)

110. On 10 June 1991, clashes were reported in Gaza and Bureij camp. Four were injured. An IDF officer was injured when a block was thrown at him in Rafah. A petrol bomb was thrown at an IDF post in Rafah, causing no damage. It was reported that some 20 wanted suspects had been arrested in the West Bank over the past week. In Mazra'a a-Sharkiya, Ramallah district, Ahmed Haji (17) was captured. Three weeks earlier he had attacked with an axe a Jewish contractor from Ramat Aviv, in order to be admitted into a "terror" organization. Other suspects were captured in the Bethlehem area, Nablus and Arabeh. A petrol bomb was thrown at a tourist bus in A-Tur, East Jerusalem. One passenger was slightly injured. (Ha'aretz, 11 June 1991)

111. On 11 June 1991, clashes were reported in Beit Sira, Ramallah district, after troops shot and killed a local youth (see list). Four persons were injured in clashes in Bureij and Jabalia camps, in the Gaza Strip. A young woman was stabbed to death and her father seriously injured (see list). (Ha'aretz, Jerusalem Post, 12 June 1991)

112. On 12 June 1991, a 16-year-old youth from Zawata village near Nablus was shot in the head and seriously injured. Local sources said he was shot by the Israeli guard of a tanker, after a group of youths stoned the vehicle. An eight-year-old Israeli boy was slightly injured when the car in which he was riding was stoned in the Trans-Samaria road, near Bidya village. A curfew was imposed. Troops arrested 10 students of the Bethlehem University as elections for the student council were taking place. (Ha'aretz, 13 June 1991)

113. On 13 June 1991, a serious incident occurred in Si'ir village, near Hebron, when troops opened fire at villagers who threw stones and blocks at a military vehicle "engaged in a routine activity". A 17-year-old youth, Muhammad Ibrahim Mujabar, was shot and injured. In Ramallah, a masked man was shot and injured after he failed to obey an order to stop. Seven wanted men were arrested in Jaba, north of Nablus. Clashes were reported in the Gaza Strip, and in particular in Jabalia, Khan Younis and Rafah, where two were injured. (Ha'aretz, 14 June 1991)

114. A small number of serious incidents were reported over the weekend of 14 and 15 June 1991. Shots were fired at an IDF post near Bani Naim village, Hebron district. Troops returned fire and carried out searches. A large cache of petrol bombs was discovered during a search in Jenin. In Jerusalem's Old City an Italian tourist was stabbed and wounded by two girls, aged 15 and 17, from Beitunia. Another stabbing incident occurred near Hamra, in the Jordan Valley, where Muhammad Besharat (19), from Tammous, stabbed and injured three Thai workers. Clashes were reported in the Gaza Strip. A youth from Khan Younis camp was injured in the eye by a rubber bullet. (Ha'aretz, Jerusalem Post, 16 June 1991)

115. On 16 June 1991, a serious clash was reported in Mughazi camp. Residents threw stones at an IDF post and troops opened fire at them, injuring six to eight residents. Other clashes occurred in Jabalia, Khan Younis, Bureij and Shati' camps. Three persons were shot and injured. A Jenin youth, Muhammad Daoud Jabhan (21), stabbed and wounded an Israeli civilian, Assi Mordekhai (22), from Moshav Sdeh-Trumot in Beit Shean Valley. The attacker was captured. (Ha'aretz, 17 June 1991; Al-Fajr, 24 June 1991)

116. On 17 June 1991, clashes were reported in Jabalia (three injured), Khan Younis (one injured) and Rafah. A petrol bomb was thrown at an IDF patrol in Deir el-Balah. No one was hurt. In Nablus a grenade was thrown at the Civil Administration's labour exchange, while dozens of local residents were present. An IDF soldier was slightly injured in the explosion. Another grenade was thrown at an IDF post near Joseph's Tomb, in Nablus. The grenade missed its target and exploded near a girls' school, slightly wounding two school girls. (Ha'aretz, 18 June 1991)

117. On 18 June 1991, in a small number of incidents in the Gaza Strip two were injured in Rafah camp and one was injured when he tried to break through a check point at Nahal Oz. Two Israeli soldiers were slightly injured from stones in Shati'. A petrol bomb was thrown at an IDF post in Rafah. No one was hurt. Incidents were also reported in Gaza (two injured), Jabalia (two injured), Khan Younis and Mughazi. The Gaza Bar Association declared a strike after an incident in which a soldier beat an Arab lawyer at the military court. The lawyer was Salah Mahamid from Uman al-Fahm (northern Israel), and the soldier later said he had hit him because he thought he was a Gaza lawyer, and not an Israeli citizen. (Ha'aretz, Jerusalem Post, 19 June 1991)

118. On 19 June 1991, an Israeli youth who was helping injured residents at Sur-Baher neighbourhood, in East Jerusalem, was stabbed and slightly injured by a local man aged 23, who was captured. An IDF soldier was slightly injured in the hand when a hand-grenade was thrown near Ramallah police. In Jerusalem's Old City police arrested five Kach activists who beat an Arab resident and then attacked border policemen who tried to rescue the Arab from them. One officer was hurt when a Kach activist struck him in the mouth with a club. The Kach activists called the policemen, who were Druze, "dirty Arabs" and "terrorists in uniform". (Jerusalem Post, Ha'aretz, 20 June 1991)

119. On 20 June 1991, a group of some 30 masked men attacked a border police force who entered Silwan neighbourhood in East Jerusalem. The troops opened fire with rubber bullets, injuring two adults and a four-year-old child. Shots were fired from a distance at an IDF post near Idna. Two petrol bombs were thrown at an IDF patrol and an IDF post in Rafah. No one was hurt. (Ha'aretz, 21 June 1991; Al-Fajr, 24 June 1991)

120. A small number of incidents occurred over the weekend of 21 and 22 June 1991, which coincided with the Muslim Id al-Adha holiday. Disturbances were reported in Shati'. Four petrol bombs were thrown at an Israeli civilian bus in El-Bireh. No one was hurt. In incidents in East

Jerusalem a female tourist was slightly injured when the bus in which she was travelling was stoned. A 13-year-old boy was detained as a suspect. (Ha'aretz, Jerusalem Post, 23 June 1991; Al-Fajr, 1 July 1991)

121. On 23 June 1991, clashes were reported in Hebron after a local youth was shot and killed by troops as he was throwing stones at local and Israeli cars (see list). In other clashes, four people were injured in Jabalia and Shati' camps, and one in Ramallah. Three petrol bombs were thrown at an IDF patrol near Khan Younis. No one was hurt. (Ha'aretz, Jerusalem Post, 24 June 1991)

122. On 24 June 1991, an IDF patrol was ambushed by masked men near Khan Younis. The men opened automatic fire and the troops returned fire. No casualties were reported. In clashes in the Gaza Strip four people were injured. A small number of stone-throwing incidents were reported in Ramallah and Nablus. It was reported that troops recently raided a house near Rafah and captured four members of the Black Panther gang. (Ha'aretz, Jerusalem Post, 25 June 1991; Al-Fajr, 1 July 1991)

123. On 25 June 1991, in an incident near Dhahiriya, an Israeli driver fired shots into an Arab taxi, wounding the driver and a passenger. The Arab driver was named as Kamal Abu Alaan (38) and the injured passenger is Omar Mawas (25). Police were investigating the incident. In another incident near Jenin, Palestinians stopped a car full of workers on their way to Israel and shot one passenger, Zaki Moussa (31). In clashes in the Gaza Strip four were injured in Jabalia and Khan Younis. A petrol bomb was thrown at an IDF patrol near Rafah. No one was hurt. (Ha'aretz, Jerusalem Post, 26 June 1991)

124. On 26 June 1991, a 16-year-old Kiryat Arba youth, Yosi Toito, was stabbed and injured near the Hadassah house in Hebron. Arab residents helped him get to a nearby clinic. A homemade bomb was thrown at an Israeli bus near Neve Tzuf settlement, in the Ramallah region, causing no damage. In Kabatiyeh, troops imposed a curfew after masked men fired at a local resident, Yusuf Nasser (32). In Silat a-Hartiya, Muhammad Shawahna (21), a Fatah member wanted by the authorities for two years, was captured by soldiers dressed as Arab villagers. (Ha'aretz, Jerusalem Post, 27 June 1991)

125. On 27 June 1991, clashes were reported in Rafah, Mughazi, Jabalia and Khan Younis camps. Four people were injured. A petrol bomb was thrown at an Israeli car near Mughazi camp. No one was hurt. A Jenin resident, Taher Azmuti (56), was kidnapped by five masked men. Soon afterwards his family informed the Civil Administration and the IDF and troops were sent to locate him. He was found, in good health. His kidnappers escaped. (Ha'aretz, 28 June 1991)

126. A settler from Begaot in the Jordan Valley, named as Avi Osher (40), was stabbed to death on 28 June 1991. A resident of Shati' camp, Hassan Mahamid (28), was killed, and his friend Walid Mahmud (24) seriously injured when the two were manipulating an explosive charge, which went off in their hands. In Rafah, a charge went off near an IDF patrol, but caused no damage or injuries. Seven masked men seized control of an empty Egged bus in the

Gaza Strip, forced the driver to get out and set the bus on fire. In a small number of incidents in the Gaza Strip two Jabalia residents were injured. (Ha'aretz, Jerusalem Post, 30 June 1991)

127. On 30 June 1991, two persons were injured in clashes in the Gaza Strip. In A-Tut village in Jenin district, there were exchanges of fire between troops and a group of wanted activists. In Zababda, near Jenin, masked men set fire to the house of Muhammad Miraz. Masked men armed with axes seized control of an Egged bus carrying Arab workers from their jobs in Israel to Zweida, in the Gaza Strip. They forced the workers to get off the bus and then set it on fire. (Ha'aretz, Jerusalem Post, 1 July 1991)

128. On 1 July 1991, an IDF soldier was slightly injured when unidentified assailants using automatic weapons opened fire at an IDF post in the Gaza Strip. The assailants fled in the direction of the Bureij camp. House-to-house searches were carried out and 15 people were detained, but were later released. The camp was placed under curfew. In a separate incident, a grenade was thrown at an IDF patrol in Bani Suheila, causing no damage or injuries. In clashes in the Gaza Strip two persons were injured in Jabalia. Masked men attacked Abd el-Wahab Dib al-Ratas (50), who ran an office issuing permits to Palestinians, near the Civil Administration building in Deir el-Balah. The man was injured and was hospitalized in Israel. (Ha'aretz, Jerusalem Post, 2 July 1991)

129. On 2 July 1991, in clashes in the Gaza Strip four were injured, two in Rafah and two in Gaza. A soldier and a border policeman were slightly injured in stone-throwing incidents in Gaza and Khan Younis. (Ha'aretz, 3 July 1991)

130. On 3 July 1991, a small number of clashes were reported, mostly in refugee camps. Two were injured in Gaza and a youth was beaten by troops in Ramallah. A petrol bomb was thrown at an IDF observation post in Shabura, Rafah. Two other devices were thrown at an IDF patrol in Khan Younis. No casualties or damage were reported. (Ha'aretz, 4 July 1991)

131. On 4 July 1991, a small number of clashes were reported in the Gaza Strip - in particular in Rafah, Khan Younis and Bureij camps. Two Rafah residents were injured. Two masked men stabbed the deputy mayor of Ramallah, Nicolas Akal, and injured him, probably for serving in the municipality that was appointed by the Civil Administration. In the Tulkarm refugee camp a cell whose members were suspected of throwing petrol bombs at troops and of several killings was uncovered following the arrest of its leader, Khaled Hajbeh. (Ha'aretz, Jerusalem Post, 5 July 1991)

132. Violent clashes were reported over the weekend of 5 and 6 July 1991 between troops and youths in Nablus. Petrol bombs were thrown at IDF and Civil Administration tax-collectors' cars. The area was sealed off and arrests were carried out. Troops used tear-gas to disperse a Popular Front demonstration. Searches were carried out in five mosques and a large quantity of leaflets, PLO flags, axes, knives and clubs were found. In clashes in the Gaza Strip four were injured. A general strike was observed in Gaza. (Ha'aretz, Jerusalem Post, 7 July 1991)

133. On 7 July 1991, an Israeli civilian, Moshe Bukhris (54) from Ashdod, was shot in the head and upper part of his body as he was picking up workers in southern Gaza Strip. He was seriously injured and hospitalized. The Popular Front took responsibility for the attack. In other incidents in the Gaza Strip two were shot and injured in Gaza, one in Khan Younis and one in Jabalia. A petrol bomb was thrown at an IDF patrol, causing no damage. A business strike was observed in the Bethlehem and Beit Sahur area following the killing of Mazen Abn Sawi from Artas. Villagers alleged that he was killed by soldiers. His friend Mohammad Da'amra, who was injured in the same incident, later reported that the masked men who had pursued them tried to handcuff him. According to military sources no IDF unit were operating in the region at the time of the incident. (Ha'aretz, Jerusalem Post, 8 July 1991)

134. On 8 July 1991, an Israeli civilian, Ammon Yahalomi (48) from Moshar Dekel, was shot and injured by unidentified assailants in the southern Gaza Strip, not far from the place another Israeli civilian had been shot the previous day. Yahalomi was shot by two men as he was picking up workers. Searches were carried out, but the assailants were not found. In clashes in Jenin Azzam Kuneiri (14) was shot in the head and seriously injured. A violent clash occurred in Idna, near Hebron, when a car with local licence plates entered the village and its two occupants questioned villagers about a wanted youth, Maher Tamaizi. Local youths threw stones at the car and the two occupants opened fire. Villagers returned fire and in the exchange one of the occupants of the car was killed. The other one managed to escape and the car was set on fire. The village was placed under curfew. In another incident, an Arab driver tried to run over an IDF soldier near Ramallah. The soldier who saw the car approaching opened fire and injured the driver. (Ha'aretz, Jerusalem Post, 9 July 1991)

135. On 9 July 1991, a hand-grenade was thrown at an IDF observation post in Rafah. There were no damage or casualties. In clashes in the Gaza Strip three were injured in Jabalia and a border policeman was slightly injured from stone-throwing in Gaza. Rafah and Khan Younis remained under curfew following the shooting incidents in which two Israeli civilians were injured. The IDF sent reinforcement to the post set up in the Morag Junction, near the site of the shootings. It was reported that both George Habash's and Nayef Hawatmeh's organizations claimed responsibility for the attacks. The two Israelis were reported out of danger. It was reported that the victim of the shooting incident in Idna the previous day was Bassam Muhammad Shehadeh (29), from Beit Hanina. (Ha'aretz, 10 July 1991)

136. On 10 July 1991, in clashes in the Gaza Strip two were injured in Jabalia and two in Khan Younis. Two soldiers were slightly injured in stone-throwing incidents. Four Black Panther members were captured by border police in Tulkarm. (Ha'aretz, 11 July 1991)

137. On 11 July 1991, in a violent clash between IDF troops and a group of masked men armed with axes and knives, in Dahit al-Barid neighbourhood in A-Ram, one of the masked men was shot and killed (see list). An explosive charge was thrown at the military government house in Bethlehem. No one was

injured. A petrol bomb was also thrown at an IDF patrol in Rafah, causing no damage or injuries. In clashes in the Gaza Strip two were injured in Bureij and one in Jabalia. Masked men set fire to a coffee-house in the centre of Jericho. Heavy damage was reported. (Ha'aretz, Jerusalem Post, 12 July 1991)

138. Several violent clashes were reported over the weekend of 12 and 13 July 1991. One youth was killed in Jenin (see list) and four others injured, including Yusef Abu Jamiah (22) of Bani Suheila, who was shot in the head and seriously injured, and a nine-year-old boy from Khan Younis camp; four were injured in the Gaza Strip. The IDF and border police carried out a night operation in the casbah area of Nablus. House-to-house searches were carried out while a curfew was being imposed. A dozen wanted men were arrested, as well as some 40 "tax offenders", and several firearms, axes and knives were found. (Ha'aretz, Jerusalem Post, 14 July 1991)

139. On 14 July 1991, two petrol bombs were thrown at a border police patrol in Tulkarm; no damage was caused and the Tulkarm camp was placed under curfew. In incidents in the Gaza Strip two were injured. (Ha'aretz, 15 July 1991)

140. On 15 July 1991, a bus carrying troops was attacked with petrol bombs near Nasariya village, in the Nablus district. The bus was totally destroyed by fire. No casualties were reported. The area was placed under curfew. A petrol bomb was thrown at an Israeli car in the centre of Nablus; it failed to ignite. (Ha'aretz, Jerusalem Post, 16 July 1991)

141. On 16 July 1991, in a small number of incidents two were injured in Rafah, and one in Khan Younis. Clashes between troops and local youths were reported in Nablus. (Ha'aretz, 17 July 1991)

142. On 17 July 1991, in Gaza, an IDF officer had his nose broken during a stone-throwing incident. A Rafah resident, aged 27, was killed in the explosion of a gasoline container in a gas station in Shabura neighbourhood. Troops trying to capture three masked men in Khan Younis were attacked with stones. The troops threw three concussion-grenades and sealed off the area. (Ha'aretz, Jerusalem Post, 18 July 1991).

143. On 18 July 1991, two hand-grenades were thrown at a border police base in Khan Younis. One device exploded causing injuries to five border policemen. Sixteen suspects were arrested. In Nuseirat camp Akram Haidar Maaruf (20) was shot and seriously injured after he tried to attack a soldier with a hoe. Jenin was placed under curfew following a shooting incident involving troops and three Black Panther members in which a youth was killed (see list). (Ha'aretz, Jerusalem Post, 19 July 1991)

144. In clashes over the weekend of 19 and 20 July 1991 three were injured in Jabalia and one in Ramallah. A Deir el-Balah resident, Jamal el-Baz (43), was arrested north of Jericho as he was trying to flee to Jordan after running over two IDF soldiers. One of the soldiers, Nadav Deri, died of his wounds. Several family members were detained and a military source said the driver's

house would be demolished. It was announced that four cells had recently been uncovered in the West Bank. Their members are suspected of many attacks against the IDF and local residents. The cells operated from the Am'ari camp, El-Bireh, Beitunia, Hebron and nearby Beit Kahel. The escalation in the use of firearms continued in the Gaza Strip: A cluster-grenade was thrown at an IDF patrol in Khan Younis. The explosion injured a 70-year-old local resident, Hafez Jafar. In East Jerusalem a 17-year-old Palestinian girl stabbed and slightly wounded a border policeman. She was arrested. (Ha'aretz, Jerusalem Post, 21 July 1991)

145. On 21 July 1991, a general strike called by Hamas was observed in the territories to protest against the taxation levels. An IDF soldier was hit in the head by a stone in Rafah. Incidents were also reported in Shati', Jabalia, Khan Younis and Rafah, where four were injured. An Israeli civilian, Avraham Kalderero (59) from Petah Tikva, was stabbed and seriously injured by two villagers from the Tulkarm area. The two suspects were caught. (Ha'aretz, Jerusalem Post, 22 July 1991)

146. On 22 July 1991, clashes were reported in Gaza and Khan Younis, and stone-throwing incidents occurred in other camps in the Gaza Strip and in the West Bank. Two soldiers were slightly injured by stones in the Gaza Strip. In Jenin several masked assailants entered the local clinic and stabbed a local resident. He was seriously injured. The area was placed under curfew. (Ha'aretz, 23 July 1991)

147. On 23 July 1991, a resident of the village of Lubban, in the West Bank, was injured by a petrol bomb thrown at his car near Deir Ballut junction, apparently after his car was mistaken for an Israeli car. Two grenades were thrown at a border police motorized patrol near Khan Younis. There were no injuries. Two Israeli civilians, Eitan and Amir Maniker, from Ganim, were attacked in Jenin. Eitan Maniker suffered stab wounds. In Gaza, two soldiers were slightly injured by stones. A resident of Bureij, Asraf Abd (22), was wounded and captured when he, together with two other wanted men, failed to obey orders to halt and tried to escape in a car. IDF troops gave chase and opened fire. (Ha'aretz, Jerusalem Post, 24 July 1991)

148. On 24 July 1991, an escalation in the level of violence was reported in the territories as 11 petrol bombs were thrown, including 8 at the Gaza police headquarters, and the Arab director of the Jenin hospital was killed (see list). Jenin was placed under curfew. In the petrol bomb attacks no casualties or damage were reported. Clashes were reported in Hebron and in Rafah. (Ha'aretz, Jerusalem Post, 25 July 1991)

149. On 25 July 1991, a burst of automatic weapons fire was directed at an IDF patrol near Rafah. No one was hurt. Several areas in the town were placed under curfew. The driver of a military car was injured when his lorry was stoned near Bureij. Troops fired at masked men who were putting up a barricade in Hebron. Two were injured. (Ha'aretz, Jerusalem Post, 26 July 1991)

150. Serious riots were reported in the Gaza Strip over the weekend of 26 and 27 July 1991. Four were shot and injured, one seriously, and three soldiers were slightly injured by stones. The most serious clash occurred in Sheikh Radwa, Gaza, after a border police patrol tried to disperse demonstrators and one of the policemen opened fire, seriously injuring Muhammad Abu Ita (20) in the head. The shooting triggered widespread rioting and the army brought in large reinforcements to restore order. A curfew was imposed in the area and in nearby Shati' camp. In Ramallah, a hand-grenade was thrown at a border police patrol, but it failed to explode. The town was placed under curfew. A petrol bomb was thrown at an army patrol near Khan Younis, causing slight damage. Occupants of a car opened fire at soldiers manning a post near Faron, in the Tulkarm area. The car sped off. In El-Bireh, shots were fired at the home of lawyer Jamil Tarifi. In Arrabeh, near Jenin, two masked men set fire to a bus carrying workers. The bus was totally destroyed. The area was placed under curfew. In Silat a-Hartiya, near Jenin, the rapid intervention by IDF troops rescued two residents who were kidnapped by masked men. An IDF soldier lost an eye after being hit by a stone earlier in the week. (Ha'aretz, Jerusalem Post, 28 July 1991)

151. On 28 July 1991, a small number of clashes and incidents were reported: three were injured in Jabalia and Khan Younis. (Ha'aretz, 29 July 1991)

152. On 29 July 1991, in a shooting incident in Silwad troops opened fire at stone-throwers, killing one (see list). A petrol bomb was thrown at an IDF patrol in Jenin, causing no damage or injuries. A masked youth, aged 18, who tried to attack an officer with an axe in Kalandia, was shot and wounded. Clashes were reported in Jabalia and Khan Younis. A Civil Administration offier beat a youth on the grounds that he was wearing a shirt with the PLO flag colours and had no ID card. (Ha'aretz, Jerusalem Post, 30 July 1991)

153. On 30 July 1991, a settler from Hebron, Yuval Dereh (25), was stabbed in the back by two local residents, as he was walking near the Hadassah building. A curfew was imposed in the town and several suspects were arrested. A strike was observed in Rafah and Khan Younis. (Ha'aretz, Jerusalem Post, 31 July 1991)

154. On 31 July 1991, in Jenin two petrol bombs were thrown at an IDF post. No one was hurt. (Ha'aretz, Jerusalem Post, 1 August 1991)

155. On 1 August 1991, a soldier was seriously injured in the head when the military car in which he was travelling was attacked with stones near Hawara junction, in the Nablus region. Masked men fired several shots at an IDF observation post in Ramallah. No one was hurt. The area of the incident was placed under curfew. In Nablus, a hand-grenade was thrown at the Civil Administration's labour exchange. No one was hurt and the area was sealed off for searches. In the Gaza Strip, an explosive device went off on the road near the military government headquarters in Rafah as an army patrol walked by. No one was hurt. (Ha'aretz, Jerusalem Post, 2 August 1991)

156. Clashes were reported over the weekend of 2 and 3 August 1991 in refugee camps in the Gaza Strip. Two were shot and injured. In the West Bank, there were stone-throwing incidents at IDF targets, and security forces carried out arrests of wanted suspects. In an incident involving a unit of undercover IDF soldiers and passengers of a car near Gaza, two wanted men were shot and injured, and then captured, and a woman passenger, Siham Azhar (23), was seriously injured by a bullet, which hit her spine. She was admitted to hospital suffering paralysis in one hand and leg. According to Arab sources the soldiers opened fire at the car when the suspects failed to obey an order to stop their car. The suspects returned fire. In another incident in Gaza a 24-year-old man from Sheikh Radwan suburb was severely injured when a homemade bomb he was assembling exploded. He was hospitalized under guard. A soldier was slightly injured in the shoulder from a rock thrown at him in Rafah camp. One of the stone-throwers was hit by a rubber bullet. (Ha'aretz, Jerusalem Post, 4 August 1991)

157. On 4 August 1991, clashes were reported in Gaza, Khan Younis and Jabalia, where four people were shot and injured. In Jenin, a petrol bomb was thrown at an IDF patrol. No one was hurt. A Khan Younis resident was seriously injured in the explosion of a bomb he had prepared. A resident of Shabura camp in Rafah was attacked by several masked men and was hospitalized with moderate injuries. (Ha'aretz, Jerusalem Post, 5 August 1991)

158. On 5 August 1991, a serious clash occurred in the Shati' camp. One youth was killed and three were critically injured (two of them later died of their wounds, see list). Following the shooting, some 400 residents rioted and troops had to use force to disperse them. Fifteen were injured. Two others were injured in clashes with troops elsewhere in the Gaza Strip. (Ha'aretz, Jerusalem Post, 6 August 1991)

159. On 6 August 1991, clashes continued in the Gaza Strip. The IDF commander in the region, Brig.-Gen. Shmuel Zucker, said that the troops who operated in Shati' camp during the clashes in which one was killed and 15 were injured, had acted in accordance with the open-fire rules. Three soldiers were also injured from stones in the rioting. In Jenin, five petrol bombs were thrown at two army patrols. (Ha'aretz, Jerusalem Post, 7 August 1991)

160. On 7 August 1991, an IDF observation post in Sajai'ya, Gaza, was set on fire and totally destroyed in the explosion of a charge planted nearby. No one was hurt and extensive searches were carried out. In clashes in Gaza and Khan Younis three local residents were injured. A soldier was hit in the eye by a stone. A 10-year-old boy was shot and seriously injured when border policemen whose car was attacked with stones in Shu'fat, north of Jerusalem, fired rubber bullets at the stone-throwers. An explosive device was thrown at a settlers' car near Bethlehem, injuring its four passengers. Two bottles of acid were thrown at border policemen in Nablus, slightly hurting two of them. Soldiers shot and slightly injured three stone-throwers in Idna, near Hebron, after they disobeyed orders to halt. Two petrol bombs were thrown at an IDF observation post in Jenin. No one was hurt. A curfew was imposed in the area. (Ha'aretz, Jerusalem Post, 8 August 1991)

161. On 8 August 1991, three border policemen were injured in a clash in Jerusalem's Old City. A petrol bomb was thrown at a civilian bus going from Hebron to Jerusalem. No one was hurt. Security forces captured three wanted members of the Red Eagle group in Deir el-Balah. (Ha'aretz, Jerusalem Post, 9 August 1991)

162. In a violent weekend (9 and 10 August 1991) two youths were killed by troops and three persons were killed by masked men (see lists). Shots were fired at an IDF observation post in Bethlehem. No one was hurt and the area was placed under curfew. Serious clashes were reported in Khan Younis and Nuseirat. Four people were injured. Four petrol bombs were thrown at an IDF patrol in Khan Younis. Two of the attackers were captured. A general strike was observed in the Gaza Strip. In widespread stone-throwing incidents in Jerusalem three Israelis were slightly injured. (Ha'aretz, Jerusalem Post, 11 August 1991)

163. On 11 August 1991, in continuing clashes in Gaza Strip camp three people were injured. An Israeli civilian was injured in the head when the bus in which he was travelling was attacked with stones near Jericho. (Ha'aretz, Jerusalem Post, 12 August 1991)

164. On 12 August 1991, in clashes in Deir el-Balah and Nuseirat and Jabalia camps in the Gaza Strip three people were injured. Three soldiers were injured near Anabta when their jeep overturned as they were chasing stone-throwers. Another petrol bomb was thrown at a bus near Hebron. Material damage was reported. The area was placed under curfew. A girl was hit in the head and slightly injured by a stone near Silwan. (Ha'aretz, Jerusalem Post, 13 August 1991)

165. On 13 August 1991, six people, including a nine-year-old boy, were shot and injured in clashes in Balata camp, Hebron, Gaza and Khan Younis. The boy, Hilmi Kawasmeh, was hit in a ricochet when soldiers at a roadblock opened fire at a car that ignored their order to halt. A petrol bomb was thrown at an IDF patrol in Rafah; no one was hurt. (Ha'aretz, Jerusalem Post, 14 August 1991)

166. On 14 August 1991, clashes were reported in Khan Younis, Bureij, Shati' and Jabalia camps. Four were shot and injured. A hand-grenade was thrown from a car at a border police jeep in Khan Younis. The soldiers opened fire at the car. A petrol bomb was thrown at an IDF patrol in Jabalia. No one was hurt. Troops in Jenin spotted a 16-year-old wanted youth and tried to capture him. When he fled they opened fire at him, injuring him in the leg. (Ha'aretz, Jerusalem Post, 15 August 1991)

167. On 15 August 1991, two soldiers were slightly injured in the explosion of a hand-grenade thrown by a masked man at an army patrol in Shabura camp. A petrol bomb was thrown at an IDF patrol in Jenin. No one was hurt. An Israeli woman motorist was injured in the face by a stone thrown at her car near Issawiya, East Jerusalem. (Ha'aretz, Jerusalem Post, 16 August 1991)

168. On 18 August 1991, in clashes in the Gaza Strip four were shot and injured, including a masked man in Rafah who was shot by plain-clothes soldiers who appeared in a civilian car and spotted the youth guarding another man writing graffiti. Violent demonstrations were reported in Kabatiya, despite the curfew imposed in the town for the fifth day. A man was killed when troops opened fire to disperse the demonstrators (see list). A petrol bomb was thrown at an IDF patrol in Jenin. No one was hurt. A hand-grenade was thrown at a military car at the entrance to Nablus. An Israeli woman was slightly injured when the car in which she was travelling was stoned in Ras el-Amud, East Jerusalem. (Ha'aretz, Jerusalem Post, 19 August 1991)

169. On 19 August 1991, a young woman, Mariman Mahmud Mansara (23) from Bani Naim village near Hebron, was shot and seriously injured as she was about to stab a soldier at an IDF post in the village. She was admitted to hospital and the village was placed under curfew. In Kafr Thulth, near Kalkilya, masked men threw two petrol bombs at the house of the local mukhtar, Yusuf Odeh. Scattered clashes were reported in Gaza, Jabalia and Khan Younis. Two people were injured. (Ha'aretz, Jerusalem Post, 20 August 1991)

170. On 20 August 1991, in scattered clashes in the Gaza Strip three people were shot and injured. Several petrol bombs were thrown at Israeli military and civilian targets, including an Egged bus in East Jerusalem, a car near Kalandia camp and the police station in Gaza. No one was hurt. Border police captured Ali Shinawi (21) from Jenin, who had been wanted for a long time on suspicion of terrorist activity. (Ha'aretz, Jerusalem Post, 21 August 1991)

171. On 21 August 1991, a serious clash was reported in Gaza, when hundreds gathered in the city's main street and threw petrol bombs and stones at troops. The latter fired plastic bullets, injuring 15 people. Clashes were also reported elsewhere in the region. Two people were injured in Jabalia camp. A general strike was observed in the West Bank. (Ha'aretz, 22 August 1991)

172. On 22 August 1991, a petrol bomb was thrown at an IDF patrol in Hebron. No one was hurt. A body was discovered near the village of Khirbat Abu Falah, in the Ramallah region. It was identified as that of Fares Daria (16) from Akraba village, who had been missing for two weeks. Akraba residents alleged that the boy had been abducted and killed by Israeli settlers. Sources in the Ramallah police said it was too early to say what caused the boy's death. Troops arrested Amjad Attiya, resident of the Nur Shams camp near Tulkarm. He had been wanted for suspected hostile activity. (Ha'aretz, 23 August 1991)

B. Administration of justice, including the right to a fair trial

1. Palestinian population

Oral evidence

173. A number of witnesses referred to various deficiencies hindering the administration of justice in the occupied territories.

174. The harsh conditions usually surrounding the arrest of Palestinians were mentioned in this regard. One former detainee recalled the circumstances of his arrest:

> "Somebody knocked on the door heavily and for a long time. The door fell down on me, as I was ready to go out. I was in the house with my wife and my two children, aged two years and one year. One of the members of the patrol - I know him, he is a settler - pointed his pistol at me. They covered my eyes, tied one of my arms to my leg, so I could not stand straight and had to bend all the time. ... So, they took me to my father's house and beat me in front of my family. They damaged the furniture, they confiscated the telephone as well ... they beat my brothers, they took me in a car. Usually they gather seven or eight people and then put them in a bus. We did not know where we were going. During the whole transport, I was being beaten, they were hitting me with sticks, with their shoes." (Anonymous witness, A/AC.145/RT.562)

175. An anonymous witness referred to the arrest of her 18-year-old son:

> "My son was at secondary school. He was arrested on the street last year, during examination time, just when he was going to his exams. He was forced into the back of a car. They broke his hand while they were putting him in the car. They shot him in the foot with live ammunition. ...
>
> "They accused him of throwing stones at settlers' buses. When they caught him, they said that he had been throwing stones at settlers' buses, he said "no", but he was wearing practically the same things as the other boy, so they took him and put him into the car." (A/AC.145/RT.564)

176. Another anonymous witness referred to arrest raids carried out by soldiers in Ein Beit al-Ma camp:

> "The events took place on 28 November 1990. One of the youths from the camp threw a stone at one of the police cars patrolling and passing close to the camp. Eyewitnesses in the camp said that this boy is not even 10 years of age. After the incident, a curfew was imposed inside the camp, and that for a period of 13 days. On 13 December 1990, the camp was stormed by tens of police personnel and some elements of the

Israeli army. They arrested 14 young people, who, all of them, were below the age of 18. The soldiers tied their hands, handcuffed them and took them to the police headquarters in Nablus. Their ID cards, or rather those of their parents, were collected. Those who were detained were severely beaten, both by police personnel and by army soldiers. They were beaten on all parts of the body, especially on the genitals. They were questioned in a harsh manner. During questioning, they were beaten, insulted and humiliated. After the questioning, which lasted a number of hours, they were all released, on condition that they come back three days later - that is to say on Sunday, 16 December 1990. When they returned, they were questioned again. During the questioning, their heads were covered with sacks. Again, they were beaten, practically during the whole time of the questioning. After a number of hours, again everybody was released and requested to return once again on Wednesday, 19 December 1990. They came back at that date, expecting once again the same questioning and beating. They expected that the ID cards would be given back to their parents, but they were not. From the police headquarters of Nablus, all the young people were taken to the headquarters of the Civil Administration of the city. Some of them were released and they told their family members and friends of what had taken place during the questioning they had undergone." (A/AC.145/RT.573)

177. The arbitrary nature of arrests was also stressed in some testimonies. One witness stated in this regard:

"Sometimes they arrest on the ground of specific charges, sometimes they arrest on the ground of suspicions. Sometimes they just arrest people to shed light on certain persons. There is no uniform law that governs the process of detention carried out by the occupation authorities." (Anonymous witness, A/AC.145/RT.559/Add.1)

178. Several witnesses referred to the denial of the rule of law. Mr. Radwan Ahmed Mohammad Ziadeh, a former detainee and a trade unionist, stated in this regard:

"During my last imprisonment in the occupied territories, I had a quarrel with the intelligence officer who came to imprison me. I told him that there is a law, that he is not allowed to beat me, to oppress me. He asked me 'what law, what law are you speaking about, for if there is occupation or military rule, then there is no law.' Under the rule of gun, of gas, of bomb, there is no law, the law is the law of the strong." (A/AC.145/RT.559)

179. Mr. Abdel Jawad Saleh said in the course of his testimony:

"In fact, there is no rule, no law. Especially since the intifadah, a soldier can be the legislator, the executive branch of the authorities, he can imprison anybody without previous warrant, he can do whatever he likes. I am sure that you have heard of the orders which were implemented about breaking bones of people. Breaking bones became a systematic way of dealing with Palestinians.

"Again, regarding detention, there is no rule. They come to a certain village, a certain quarter in a town, and collectively detain all people aged 14 to 65." (A/AC.145/RT.566)

180. An anonymous witness referred to the issue in the following terms:

"Young people, they are often arrested in violation of the law, since the law prevents the detention of persons under the age of 14. In spite of this, youngsters are sometimes arrested. They do not have an identity card, because they are not yet of a legal age. So they are arrested for long periods. The parents are asked to come and very heavy fines are imposed on them. If the youngster is between the ages of 14 and 18, he is treated exactly like an adult person and he may have to stay for years under detention and without trial. ...

"In many cases, it happens that the detainee has completed his term of sentence, but is not released on time.

"The lawyer is often unable to defend the accused person in the traditional way. Often he is threatened with being arrested or detained himself, if he does not follow the wishes of the military governor or of the judge of the military court. The lawyer who sticks to the provisions of the law is prevented from visiting his client in prison, he is prevented from having any contact with the prosecution, he is subjected to many administrative complications and problems, which do not enable him to carry out his function, his work.

"According to the law now, administrative detention should not go beyond a year. But it is actually renewable for two and three years and in many cases, the persons subjected to administrative detention are released for a day or two and then arrested once more." (A/AC.145/RT.569/Add.1)

181. Another witness, Mrs. Naila Ayich, recalled the way in which she was put under administrative detention after her husband's deportation:

"The decision to deport my husband was taken on 12 April 1988. Two months after his deportation, I was put under administrative detention for the second time. You know about this kind of detention, it is done without any trial, without any charges even. My son was very young, only six months old. His father was away and I was his only parent. I fought against the administrative detention, saying that it was an arbitrary decision, my husband being deported and my child so young. They did not pay any attention and I was put under administrative detention for six months." (A/AC.145/RT.559)

182. Mention was also made of the use of physical and psychological violence during interrogation:

"In Atlit, the interrogation was not like usual, they did not ask questions and put forward charges. It was more a way of provocation and

aggression. They would for instance ask you to repeat insults against God, or Muhammad, or against Abu Ammar or Abu Jihad. The young men would be beaten if they refused to repeat the insults and I remember one man whose back got broken." (Anonymous witness, A/AC.145/RT.562)

183. Mr. Jamal Zaqut stated in this connection:

"I was under investigation in the Russian compound jail, then transferred to the Gaza jail, under investigation for two months. I faced every kind of harassment and rough treatment. I was prevented from sleeping for more than three weeks. I was denied any medical help after the breaking of two ribs due to beating." (A/AC.145/RT.571)

184. It was also pointed out that most trials were a pretence of justice rather than fair trials. An anonymous witness stated in that connection:

"None of the persons detained were ever acquitted or declared innocent. There is no such thing as acquittal. The Israeli soldier is always right. They always believe what the Israeli soldiers tell them. All other evidence is refuted or rejected by the court, because the evidence given by the Israeli soldiers is being preferred. ...

"The lawyer first receives information from the family of the detainee, that their son has been detained for example. So, the lawyer goes to the prison and he tries to visit the detainee. Usually, we are able to see the prisoner after 18 days of detention. In some cases, it is not possible to see the prisoner for four or five months. We are able to see the prisoner in accordance to the serial number of his identity card. We listen to what he says and then we go to the military prosecution in order to obtain a copy of the charges and of the confession, if any. We wait until the date of the trial is published in the newspapers. When we know of the date, we go to the trial, to the military court. They start with the usual questions to the defendant, whether he pleads guilty or not. ... If he pleads not guilty, they adjourn the trial and this is repeated three, four times, it can go on and on for years, until the defendant is finally obliged to confess to something. ...

"For instance, if the charge is stone-throwing, the punishment should not exceed six months. So, if the defendant has already spent seven or eight months in prison, I as a lawyer am obliged to convince my client that he has to confess, because then he would be released from prison." (Anonymous witness, A/AC.145/RT.569/Add.1)

185. Mr. Abdel Jawad Saleh also referred to the "quick justice" system prevailing in the occupied territories and to the Israeli disregard for the relevant international legal norms and standards:

"Specially at the beginning of the intifadah, there were very speedy trials, without lawyers, without defendants, without even any accusations

and no legal interrogation. There was only beating and sentencing. As a result of such collective speedy trials, lawyers, who were not permitted to see and meet their clients, went on strike for a long time. ...

"Generally speaking, deportation, demolition of houses, land confiscation, settlements in the occupied territories, curfews, collective punishment, deprivation of freedom of movement are endorsed by the Israeli military court. So, you can say that there is no rule of the law in the occupied territories." (A/AC.145/RT.566)

186. Reference was also made to the lengthy and costly nature of legal procedures in the occupied territories. An anonymous witness recalled the difficulties she had faced in order to obtain a travel permit:

"I tried 10 or 12 times. I thought of engaging a lawyer and asked an Arab lawyer to help me, thinking of lodging a complaint against the Israelis, because they were refusing to meet me. ... I went to the Complaints Office in Jerusalem. I engaged a lawyer. He belongs to the Peace Now movement and he took care of this case. That was in May. The case received a certain serial number. I waited three months, without getting any answer. But I wanted to travel. ... So I tried to get this permit signed. We have in the West Bank persons who take bribery and help us with the formalities. I had to pay a certain amount of money to one of those persons cooperating with the Israeli authorities. I paid the sum required and he told me that I could go. But I was turned back once more at the bridge, which means that I had lost the permit and lost the money of the bribery. Once again I engaged a lawyer, an Arab lawyer who told me that first I had to get a letter from the lawyer who had been handling my case in the beginning saying that he had stopped taking care of this case. So I went to see that lawyer in Jerusalem. I had lodged my complaint in May and had not received any answer in November. I then heard that the case had been refused. Afterwards the Israeli intelligence people were obliged to meet with me, because they had turned me down 21 times. So, they agreed to see me. ... In November I lodged an appeal, which was rejected by the Complaints Office. My case was then directed to a higher court of justice, to the Supreme Court of Justice." (A/AC.145/RT.560)

187. Accounts of the administration of justice in the occupied territories may be found in documents A/AC.145/RT.557/Add.1 (an anonymous witness); A/AC.145/RT.559 (Mr. Radwan Ahmed Mohammad Ziadeh; Mrs. Naila Ayich); A/AC.145/RT.559/Add.1 (an anonymous witness); A/AC.145/RT.560 (an anonymous witness); A/AC.145/RT.562 (two anonymous witnesses); A/AC.145/RT.564 (an anonymous witness); A/AC.145/RT.565 (an anonymous witness); A/AC.145/RT.566 (Mr. Abdel Jawad Saleh); A/AC.145/RT.569/Add.1 (an anonymous witness); A/AC.145/RT.570 (Mrs. Adla Kandeel); A/AC.145/RT.571 (Mr. Jamal Zaqut); and A/AC.145/RT.573 (an anonymous witness).

Written information*

188. On 1 April 1991, the Tel Aviv District Court sentenced Intisar Abu al-Kayama (34) to two and a half years' imprisonment. The woman, mother of seven children, is the cousin of Abd el-Halim Abdallah from Shati' camp, who on 16 October 1990 tried to kill an Israeli civilian, Avraham Shafir. She was convicted of providing her cousin with the knife with which he stabbed Shafir. The Court acquitted her of the charge of attempted murder, but convicted her on the charge of providing means to commit a crime. (Ha'aretz, 2 April 1991)

189. On 3 April 1991, the Military Court in Nablus sentenced four residents of Jericho to life imprisonment after they were convicted of killing Salam Jilata on 3 October 1989, for alleged collaboration. The four are Raed Ghalabani (21), Raed Jilata (21), Id Barama (21) and Hasan Jilata (26). (Ha'aretz, 4 April 1991)

190. On 8 April 1991, Defence Minister Moshe Arens ordered the release of more than 1,000 Palestinian prisoners and detainees, as part of a series of measures aimed at alleviating the plight of Arab residents of the territories. The release coincides with the Muslim holiday of Id al-Fitr (the end of Ramadan), a date on which Palestinian prisoners are traditionally released. It was affirmed that most of the prisoners affected by the measure would be near the end of their sentences, and that none of them had committed acts of violence. On 11 April 1991, further criteria for release were made public by the Defence Ministry. In addition to convicted prisoners not involved in "bloody violent acts", and convicted prisoners who had served at least two thirds of their sentences, the release measure would affect persons detained for failing to pay fines; minors who were not involved in "bloody violent acts", prisoners recommended by prison commanders, including for medical reasons; persons detained for over two months awaiting their trial, whose detention had been ordered until the end of legal proceedings, and who were not liable to prison terms longer than the period already spent in detention; it was reported that 850 of those released were from the West Bank and 350 from the Gaza Strip. Several administrative detainees would also be released. Some 202 prisoners were released from the Ketziot prison. (Ha'aretz, 9 and 11 April 1991; Jerusalem Post, 9 April 1991)

191. On 8 April 1991, it was reported that the Jerusalem District Court had recently sentenced a minor to 12 years' imprisonment after he was convicted of stabbing and injuring Yosef Edr, a yeshiva student, on 12 June 1990 in East Jerusalem. (Jerusalem Post, 8 April 1991)

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 104 to 132 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 113 to 141 of document A/46/282.

192. On 8 April 1991, the Jersualem District Court sentenced Muhammed Abu-Jalaba (26), from Jabalia camp, to four consecutive life terms for stabbing to death four Jerusalem women on 10 March 1991. The court also imposed a 14-year sentence on Faisal al-Khatib for stabbing a Jewish civilian. (Ha'aretz, Jerusalem Post, 9 April 1991)

193. On 12 April 1991, it was reported that Radwan Abu Ayash, chairman of the Arab Journalists' Association, was being released from administrative detention of five months. He had been given a six-month term, but appealed to a military board and his term was reduced by one month. (Ha'aretz, 12 April 1991)

194. On 22 April 1991, Araf Hasan Abu Sultan (25), of Rafah, was sentenced to life imprisonment for murdering a fellow inmate at the Ketziot detention centre. (Jerusalem Post, 23 April 1991)

195. On 23 April 1991, the High Court of Justice denied a request by lawyers for the four Gaza Fatah activists who were ordered deported that they be allowed to examine the confidential material the General Security Service (GSS) presented to the military court that ordered the expulsions. (Jerusalem Post, 24 April 1991)

196. On 28 April 1991, Sari Nusseibeh (40), professor of philosophy at Bir Zeit University, was released after three months of administrative detention. He was originally detained for six months, for "transmitting information to Iraq during the war in the Gulf", but a Jerusalem District Court judge reduced the detention by three months. (Jerusalem Post, 29 April 1991; Al-Fajr, 6 May 1991)

197. On 30 April 1991, the Tel Aviv District Court imposed three consecutive life sentences on Ashraf Ba'aluji (21), from Gaza, for stabbing to death three Israeli civilians on 14 December 1990, in Jaffa. (Ha'aretz, Jerusalem Post, 1 May 1991)

198. On 30 April 1991, the Military Court in Gaza sentenced Iyad Abdallah Majid and Hussein Mahmud Awad to 15 years' imprisonment each for membership of Fatah and throwing petrol bombs at an IDF post. The court sentenced Ibrahim Awad Jabar Damari to life imprisonment after convicting him of membership of a Fatah "strike committee" and taking part in the murder of alleged collaborators in the Gaza Strip. (Ha'aretz, 1 May 1991)

199. On 7 May 1991, charge sheets were filed with the Nablus Military Court against six residents of the Tulkarm camp suspected of membership of the "Black Panther gang", killing eight persons and attempting to kill another five. The six, led by Muhammad Shehadeh (19), were previously led by Ahmed Saruji (18), who was killed on 30 October 1990. Three of the six were identified as Marwan Nayef (15), Abed Rahman Saruji (17), and Najah Deadas (19). (Ha'aretz, Jerusalem Post, 8 May 1991)

200. On 12 May 1991, the Tel Aviv District Court sentenced a 17-year-old resident of Sheikh Radwan, Gaza, to life imprisonment after convicting him of

killing an Israeli civilian, Eitan Arad, on 17 April 1991 in Tel Aviv, "for nationalistic reasons". (Jerusalem Post, 13 May 1991)

201. On 13 May 1991 the Haifa District Court convicted Imad Masri (19), and a minor, both members of the Fatah youth movement Shabibah, and residents of Jenin, of the killing on 29 December 1990 of an Israeli engineer, Yosef Malchin from Haifa. The two admitted their guilt and told the court they had murdered Malchin to mark Fatah Day, which falls on 1 January. (Jerusalem Post, 14 May 1991)

202. On 13 May 1991, the Palestinian journalist Ziad Abu Ziad, from Eizariya near Jerusalem, was released from the Jneid prison in Nablus after six months of administrative detention. (Ha'aretz, 14 May 1991)

203. On 16 May 1991, it was reported that the Defence Ministry had paid compensation to a minor from Khan Younis who had been held for five days in detention arbitrarily. On 10 September 1989, the youth was sentenced to 8 months' imprisonment and 16 months' suspended, and was fined NIS 1,000 ($400). Upon payment of the fine the youth was to be released. His father paid the fine and the youth should have been released on 9 May 1990, but the jail authorities claimed the fine had not been paid, and released the youth only five days later, after the intervention of a representative of ACRI. A lawyer sent the compensation claim on 12 July 1990 and after 10 months the Defence Ministry paid the youth the sum of NIS 1,500 ($600). (Ha'aretz, 16 May 1991)

204. On 16 May 1991, the security forces arrested journalist Tawfik Abu-Hosa, an employee of Al-Quds, who had served four years in jail for acting as leader of the Shabibah movement in the Gaza Strip. (Ha'aretz, 17 May 1991)

205. On 21 May 1991, the Jenin Military Court sentenced four members of the "Black Panther gang" to life imprisonment after convicting them of killing several alleged collaborators. Hussam Afana (25), from Birqin, was sentenced to five terms of life imprisonment plus 20 years in jail; Iyad Salfiti (18), from Jenin, was sentenced to five life terms; Mohammad Abu Ziza (24), from Jenin, to four life terms, and Subuh Tubassi (23), from Jenin, to two life terms. (Ha'aretz, 22 May 1991)

206. On 23 May 1991, it was reported that the total number of all Palestinian prisoners and detainees held in the various prisons in Israel and the territories was 9,351. Some 1,078 were convicted prisoners, 881 were pre-trial detainees, 3,649 were detained until the end of legal proceedings and 743 were administrative detainees. These figures did not include persons held in custody soon after being arrested. (Ha'aretz, 23 May 1991)

207. On 23 May 1991, it was reported that Issam Abu Baker from Nablus was put in administrative detention 13 days after he was released, on the grounds that his release was "by mistake". On 22 May 1991, the Betzelem human rights organization sent an urgent letter to the Defence Minister urging him to release Abu Baker or to put him on trial if there were any charges against

him. On 26 May 1991, Abu Baker was released on the Defence Minister's instructions. (Ha'aretz, 23 and 27 May 1991)

208. On 26 May 1991, the Gaza military court began an operation of quick trials of Palestinians held in IDF jails. Those concerned were principally Palestinians detained for long periods without trial in the Ketziot jail. In order to accelerate their trials, in keeping with the Southern Region commander's instruction, it was decided to add another courtroom, as well as more prosecutors and judges. (Ha'aretz, 27 May 1991)

209. On 27 May 1991, the Gaza Military Court sentenced Mahmud Ali Hamdan (21), and Izam al-Bardawi (23), both of the Gaza Strip, to life imprisonment after convicting them of killing three persons and injuring one. In another development, it was reported that an administrative detention order for one year was issued against Tawfik Muhammad Mabruk Abu Hosa (28), from Rimal neighbourhood, Gaza, who was arrested 10 days earlier. He had served 30 months in jail in the past for security offences. (Ha'aretz, 28 May 1991)

210. On 29 May 1991, the Gaza Military Court sentenced Abdel Nasser Abu Kaoud (24), from Rafah, to three life terms plus 30 years, after convicting him of killing an Arab teacher, Salah Hijazi, and beating to death Ashraf Abu Abayad and a woman, Itaf Nimes, for alleged collaboration. (Ha'aretz, Jerusalem Post, 30 May 1991)

211. On 30 May 1991, the Gaza Military Court imposed four life sentences plus 30 years on a member of the "Black Panther gang" (name not reported) for the killing of several alleged collaborators. (Ha'aretz, 31 May 1991)

212. On 5 June 1991, it was reported that the Gaza Military Court had sentenced to life imprisonment plus 20 years three residents of Sheikh Radwan, Gaza, for membership of Fatah and killing Arabs they suspected of collaboration and drug dealing. The three were named as Ahmed Abu-Hamda (24), Hisham Mazni (26) and Bassam Wahab Namnam. (Jerusalem Post, 5 June 1991; Al-Fajr, 10 June 1991)

213. On 12 June 1991, the Gaza Military Court sentenced two brothers, Rajab and Abed Rajaiba, to life imprisonment plus 20 years. They were convicted of belonging to a "terrorist organization" and killing suspected collaborators, including a nurse at the Nasser hospital in Gaza. In another development, it was reported that 420 prisoners who had waited long periods of time to be tried had finally been put on "accelerated trials" over the previous fortnight in the Gaza Military Court, where two additional courtrooms, as well as more judges and prosecutors, were assigned to the operation. (Ha'aretz, Jerusalem Post, 13 June 1991)

214. On 13 June 1991, the trial of Naameh al-Helou was opened at the Ramallah Military Court. According to the charge sheet she had acted as commander of the Democratic Front for the Liberation of Palestine (DFLP) in the Gaza Strip after the arrest of the former commander, Jamal Zakout (who was expelled from the country). Al-Helou had served eight years in prison in the past following

the explosion of a charge she was holding. She lost her right hand in the explosion. For two years she was wanted and over a year ago was rearrested. Her lawyer, Leah Tsemel, asked that the trial be postponed to a later date. (Ha'aretz, 14 June 1991)

215. On 16 June 1991, the Haifa District Court sentenced Fared Ahmed Barud (30), from the Gaza Strip, to life imprisonment plus 35 years for the murder of Israeli businessman Mordekhai Roichman (72) in March 1991. Barud's lawyer argued that the defendant had been accused of collaboration with Israel and was beaten and threatened by masked men, and he killed the Israeli businessman and several other attacks "to show his faithfulness to the Palestinian cause". The same Court also sentenced Imad Hamed Masri (19) and a 17-year-old minor, both from Aqaba village near Jenin, to life imprisonment for the murder in December 1990 of Yosef Malchin (61), from Haifa. The two carried out the murder "to celebrate Fatah Day", which falls on 1 January. On the same date the Nablus Military Court sentenced three residents of Burqin, near Tulkarm, to prison terms for the murder of Ariel settler Friedrich Steven Rosenfeld on 17 June 1989. Ramdan Ibrahim and Mustafa al-Haj were sentenced to life imprisonment; Balal Jamara was sentenced to 20 years' imprisonment. (Ha'aretz, Jerusalem Post, 17 June 1991)

216. On 17 June 1991, the High Court of Justice, in what was described as a "rare move", decided to rescind a decision by the IDF commander in the West Bank to demolish a house belonging to the uncle of a youth suspected of killing an alleged collaborator. The court also ordered the State to pay NIS 3,000 ($1,200) in costs. The petitioner, Ahmed Mahmud Nimer from Beitunia, had his house sealed following the arrest of his nephew Raid Nimer. He told the Court that the suspect had stayed temporarily in the house in Beitunia, but that he normally resided in Kalandia camp. The Court accepted the petitioner's plea, saying that the IDF had probably not had before it the "entire picture" when it decided to demolish the house. In another development, it was reported that the Hebron Military Court had sentenced Ibrahim Hassan Shahin, from Yatta, to life imprisonment plus 20 years for the murder of a local resident suspected of collaboration. Another Yatta villager, Mahmud Yusuf al-Kara', was sentenced to 17 years' imprisonment. (Ha'aretz, Jerusalem Post, 18 June 1991)

217. On 19 June 1991, the Nablus Military Court sentenced Muein al-Kassem (20) and Nidal Mussa (23) to life imprisonment for kidnapping some 30 Nablus residents whom they suspected of collaboration, and killing one of them. The two belonged to the Red Eagle group, affiliated to the Popular Front for the Liberation of Palestine (PFLP). The court also sentenced to life imprisonment, on similar charges, Muhammad Mar'aka (21), from Hableh, a member of the Islamic Jihad, and Hassan Taleb (20), from Shweika, who was convicted of killing three persons. The Gaza Military Court sentenced Abd el-Halim Mahmud Abdallah (24), from Shati' camp, to life imprisonment for killing his brother, whom he suspected of collaboration, in November 1990. (Ha'aretz, 20 June 1991; Al-Fajr, 1 July 1991)

218. On 23 June 1991, the Tel Aviv District Court sentenced Amar Haj (25), from Nablus, to 15 years' imprisonment for stabbing and injuring an Israeli soldier, Eliezer Cohen, on 21 March 1991 near Tel Aviv. (Ha'aretz, Jerusalem Post, 24 June 1991)

219. On 24 June 1991, it was reported that the first 89 of an expected 300 to 400 Palestinians were freed from Megiddo and Ketziot prisons. According to Israel Radio another 80 Gaza prisoners and over 200 West Bank prisoners were to be freed before the end of the Id al-Adha holiday. (Jerusalem Post, 24 June 1991)

220. On 25 June 1991, charge sheets were filed with the Jerusalem District Court against two young women from Beitunia - May al-Assin (20) and her 17-year-old cousin - accused of stabbing and injuring an Italian tourist 10 days earlier near the Damascus Gate in East Jerusalem. The two are charged with attempted murder. (Ha'aretz, 26 June 1991)

221. On 26 June 1991, the IDF amended the law on military courts in the territories, enabling a single-justice bench to impose prison sentences of up to 10 years. Hitherto, only a three-justice bench could impose sentences of over five years in jail. According to military sources the reason for the amendment was that since the outbreak of the uprising courts in the territories had been overburdened and that had led to defendants having to wait for one year, or even more, for their trial. (Ha'aretz, 27 June 1991)

222. On 1 July 1991, the Nablus Military Court sentenced Adnan Ibrahim Amor to life imprisonment. He was convicted of killing a Shweika resident, Majid Mahmud Mustafa, in August 1990. (Ha'aretz, 2 July 1991)

223. On 3 July 1991, the Nablus Military Court sentenced three members of a group called "Hooded Lion" to several life imprisonment terms. Samir Adawi, of Am'ari camp, was sentenced to four consecutive life terms for the murder of four Arab residents of the territories and other related offences. Amjad Afana from Ramallah was given two consecutive life sentences for murdering two Arabs and kidnapping and torturing others. Nihad Akra'n of Am'ari camp, was sentenced to life imprisonment for the murder of a soldier, Amrari Ajal, in April 1990, and participation in five kidnappings and cases of torture. (Jerusalem Post, 4 July 1991)

224. On 5 July 1991, the Jenin Military Court sentenced Ahmed Nasser (17), from Jenin, to two consecutive life terms for killing and attacking several Arabs. He belonged to the Popular Front's Red Eagle group. (Ha'aretz, 7 July 1991)

225. On 8 July 1991, the Nablus Military Court sentenced six Palestinians from Tulkarm camp to life terms for participating in the murders of at least seven alleged collaborators and attacks on dozens of others. The six, members of the Fatah-affiliated Black Panther group, were named as Muhammad Shebadeh (convicted of seven murders, five attempted murders and other offences - sentenced to seven life terms), Alam Jaber (convicted of seven murders, four

attempted murders and dozens of attacks - sentenced to seven life terms) and Munir Hamdan (convicted of three murders, three attempted murders and dozens of attacks - sentenced to three life terms), Ibrahim Balauna (convicted of three murders - sentenced to three life terms). The names of the other two were not given. (Ha'aretz, Jerusalem Post, 9 July 1991)

226. On 9 July 1991, the Nablus Military Court sentenced Abd el Rahman Nazal, of Kalkilya, to two consecutive life terms for the murder of two alleged collaborators, Adnan Jabara and Asraf Samhan. The Court also sentenced Ruki Awada, a Black Panther member from Nablus, to four consecutive life terms plus 20 years, for the murder of four alleged collaborators. (Ha'aretz, 10 July 1991)

227. On 11 July 1991, Dr. Ahmed Yazji (43), a Gaza doctor arrested in November 1990 and placed in administrative detention for one year, was released four months early, on appeal to a review board in Ketziot prison. (Jerusalem Post, 12 July 1991)

228. On 15 July 1991, the Jerusalem District Court sentenced Omar Subhi (40), from Beit Safafa, to nine years' imprisonment after he pleaded guilty to charges of supplying information to Iraq during the Gulf war, with the intention of harming the security of the State. (Ha'aretz, Jerusalem Post, 16 July 1991)

229. On 18 July 1991, the Gaza Military Court sentenced five members of the Palestinian Ninja group to several consecutive life terms (four to four members and three to another), for the murder of several Arabs, including a woman in her eighth month of pregnancy and another woman suspected of prostitution. They were also convicted of several attacks, kidnapping and torturing Arabs. (Ha'aretz, 19 July 1991)

230. On 23 July 1991, the Hebron Military Court sentenced Bader Ahmed Abu-Ayash (23), of Beit Ummar, to 15 years' imprisonment for throwing four petrol bombs at an IDF jeep in June 1988, seriously injuring two IDF officers. (Ha'aretz, Jerusalem Post, 24 July 1991)

231. On 24 July 1991, the Nablus Military Court sentenced Mahmud Ahmed Khader Snin, of Beir Ballut, to life imprisonment for the murder on 7 October 1990 of Abdel Fares whom he suspected of collaboration. (Ha'aretz, Jerusalem Post, 25 July 1991)

232. On 25 July 1991, the Jenin Military Court imposed sentences of up to 10 years on three persons convicted of membership of the Democratic Front and several "terrorist" acts. Iskar Kitawi (33), of Jericho was sentenced to 10 years' imprisonment. He was convicted of driving a car taking the cell members to the area near the Damascus Gate in East Jerusalem, where they threw hand-grenades, injuring 5 soldiers and 12 civilians. Said Abd el-Jaber (26), from Bahata camp, was sentenced to seven years and Ahmed Basharat (39), of Jiftlik in the Jordan Valley, was given four-and-a-half years' imprisonment.

The Hebron Military Court sentenced Nabil Abu-Kabitu of Yatta to 12 years' imprisonment for leading a group responsible for 18 petrol bomb attacks against the homes and stores of alleged collaborators. One of the group, Musa Aruri, was sentenced to 11 years and two other members were given prison terms of 7 and 5 years. (Ha'aretz, Jerusalem Post, 26 July 1991)

233. On 30 July 1991, the Jenin Military Court sentenced four Palestinians, aged 19 to 23, to life imprisonment. Three were convicted of killing alleged collaborators and the fourth was convicted of ordering the killing of an alleged collaborator. (Jerusalem Post, 31 July 1991)

234. On 31 July 1991, the Gaza Military Court sentenced Naji Fayez Abu-Tiba (18), from Bani Suheila, to life imprisonment for belonging to a Fatah strike force and for involvement in the kidnapping and murder of Naji Abu-Asia. (Ha'aretz, Jerusalem Post, 1 August 1991)

235. On 1 August 1991, the Jenin Military Court sentenced Hassan Kalud to 15 years' imprisonment for stabbing an Israeli driver on 24 April 1990. (Jerusalem Post, 2 August 1991)

236. On 4 August 1991, Sami Attia Ziyad Samhadna (29), from Rafah, petitioned the High Court of Justice against his administrative detention. He has been held in such detention for the past five and a half years, except for short periods of one to three months. Justice Yaacov Maltz instructed that the petition be heard promptly before a three-justice panel. (Ha'aretz, 5 August 1991)

237. On 5 August 1991, the Hebron Military Court sentenced Ibrahim al-Amira, from Dura, to life imprisonment for killing an alleged collaborator, Adris Akil, in 1990. (Jerusalem Post, 6 August 1991)

238. On 6 August 1991, the Gaza Military Court sentenced two Palestinians to life imprisonment: Faiz Abdallah Salameh (29), was convicted of a series of attacks against the IDF and the killing of an alleged collaborator in 1988 and 1989. Nasser Omar Muhammad a-Namleh (32), was convicted of the killing in 1990 of his Israeli girlfriend Zvia Gewurtz. (Ha'aretz, Jerusalem Post, 7 August 1991)

239. On 11 August 1991, the Gaza Military Court sentenced four residents of Khan Younis camp to life imprisonment: Yahya Abu-Odeh (22), Mahmud Hassan Wajiha (22), and Ramzi Ibrahim al-Karem (21), were convicted of belonging to a "strike force" that killed two alleged collaborators and attempted to kill two others. Musa al-Najer (37), was convicted of involvement in the killing of an alleged collaborator. (Ha'aretz, Jerusalem Post, 12 August 1991)

240. On 13 August 1991, the Military Appeals Court in the West Bank imposed a life sentence on Jihad Abdel Aziz Ramadan who was convicted of the murder of an alleged collaborator. The Nablus Military Court had originally sentenced him to 20 years' imprisonment. (Jerusalem Post, 14 August 1991)

241. On 14 August 1991, it was reported that the Israel police had begun operating investigation teams called "disturbances teams", to investigate cases of rioting, stone-throwing and throwing of petrol bombs. This was the first time that the police was charged with investigating such incidents in the territories. The first such team was set up in "Judea" and was composed of seven policemen. A second team, similar to the first one, was set up in "Samaria". It was reported that, at the end of an investigation by the team, its findings and recommendations were transmitted to the IDF and to GSS officials. Palestinians suspected of security offences were put on trial on the basis of these findings and recommendations. A senior police source acknowledged that the "disturbances teams" were created at the IDF's request. (Ha'aretz, 14 August 1991)

242. On 19 August 1991, the Gaza Military Court sentenced two residents of Abasan, Rafat Khalil Abd al-Aziz Abu Latifa and Jihad Suleiman Abu-Anza, to life imprisonment. The two were convicted of killing an alleged collaborator, Musa Arafat, and of attacks against suspected prostitutes. (Ha'aretz, 20 August 1991)

243. On 20 August 1991, the Jenin Military Court sentenced Ahmed Agabria (26), to life imprisonment for killing an alleged collaborator, Muhammad Abu-Hir, and for other attacks on alleged collaborators. The same Court sentenced Ra'id Rahman (19), of Silat a-Hartiya, to life imprisonment for killing Muhammad Hor, of Jenin. The Nablus Military Court sentenced Ahmed Bukhri (28), to life imprisonment plus 20 years for membership of the Abu Jihad faction of Fatah and involvement in the killing of a nurse in Shifa hospital, in 1989. (Ha'aretz, Jerusalem Post, 21 August 1991)

2. Israelis

Written information*

244. On 8 April 1991, the Special Military Court in Tel Aviv convicted A/M (Col.) Yehuda Meir of aggravated battery and unfit behaviour for his part in the incidents in January 1988, in the West Bank villages of Beita and Hawara, where he ordered his men to beat arrested Palestinians severely and to break their arms and legs. The Court determined that the orders were patently illegal, and rejected the claims made by the accused that they were based on statements made by Defense Minister Rabin and Central Region Commander Avram Mitzna. The Court also rejected the claims that Meir's orders reflected IDF norms of the early days of the uprising. On 23 April 1991, the

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 133 to 140 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 142 to 151 of document A/46/282.

Court sentenced Meir to be demoted to the rank of private, but refrained from adding a prison sentence. (Ha'aretz, Jerusalem Post, 9 and 24 April 1991; Al-Fajr, 15 April 1991)

245. On 15 April 1991, the Military Court of Appeal acquitted R/S (Maj.) Ilan Hauser of two out of four charges on which he had been found guilty by a lower court, the Central Region Military Court. The incidents giving rise to the charges occurred at the end of 1989, when Major Avzer did his reserve duty in Janiya village, near Ramallah. In the course of a riot the force led by Hauser opened fire, killing a local youth. The Court of Appeal acquitted him of the charges of illegal use of firearms and illegal use of a siren while confronting the rioters. The Court confirmed the conviction on the charges of illegal use of "shock-grenade and a petard, and unfit behaviour". The Court also determined that the sentence should be a suspended prison term, and demotion to the grade of seren (captain); the lower court had demoted him to the rank of lieutenant. (Ha'aretz, 16 April 1991)

246. On 29 April 1991, the Jerusalem District Court sentenced IDF soldier Aryeh Chelouche to seven years' imprisonment after convicting him of attempted murder. Chelouche had shot and wounded an Arab physician and his daughter in revenge for the killing of his brother several days earlier by an Arab, in the Baka neighbourhood of West Jerusalem. (Ha'aretz, Jerusalem Post, 30 April 1991)

247. On 30 April 1991, it was reported that the Supreme Court had rejected an appeal by Rafi Salomon who on 20 June 1989 opened fire at a group of Arab workers in central Israel, injuring three. He was sentenced by a District Court to four years' imprisonment. In rejecting his appeal the Supreme Court said the act of shooting at innocent people only because they were Arab justified an even harsher punishment. (Ha'aretz, 30 April 1991)

248. On 17 May 1991, it was reported that a senior commander of the Ketziot detention centre, identified as Lt.-Col. A., was suspended from duty while being investigated on suspicion of having beaten a Palestinian detainee. The investigation was opened after eyewitnesses provided "solid evidence" against the officer. (Jerusalem Post, 17 May 1991)

249. On 3 June 1991, it was reported that Supreme Court Judge Theodore Orr had upheld a decision by Justice Yaacov Tzemah of the Jerusalem District Court to detain until the end of the legal proceedings a settler who had fired at an Arab car and injured a child. The settler, Ofer Yosefi, was involved in a shooting incident when he opened fire at an Arab minibus, injuring a five-year-old child who was travelling in another car. He appealed against the District Court judge's decision to detain him until the end of his trial, and Justice Orr, in rejecting the appeal, said it was inconceivable that people who held weapons, either for self-defence or other legal use, should make use of their weapon illegally to punish or deter other persons, thus endangering these persons' lives or physical integrity. (Ha'aretz, 3 June 1991)

250. On 12 June 1991, it was reported that the Judea district police investigating the incident in which a Susiya settler, Baruch Yelin (27), had killed Arab shepherd Muhammad Nawaj'a, from Yatta, would recommend putting the settler on trial for manslaughter. The settler, whose detention was extended by 12 days, reportedly admitted to shooting at the shepherd. (Ha'aretz, 12 June 1991)

251. On 19 June 1991, it was reported that four IDF soldiers had been charged recently with cruel treatment and brutality against residents of the territories. They were also charged with illegal use of firearms, assault, causing damage to property and inappropriate conduct.
Samal (Sergeant) Alon Mizrahi was charged with several cases of severe beatings, including of small children, in Ramallah and Am'ari camp. He was also charged with ordering a camp resident to take off his shirt and burn it, because it had the colours of the Palestinian flag. Two soldiers of the armoured corps, Sergeant Doron Herman and Corporal Shimon Ivqi, were charged with several cases of ill-treatment of residents of Tel Sultan camp near Rafah. Herman, who acted as company commander, was in charge of an arrest operation in the camp, during which he severely beat and kicked several residents, carried out a mock-execution, caused grievous bodily harm to persons in front of other soldiers, did not give first aid to the persons he had wounded and threatened a soldier, Corporal Hagay Levy, with punishment after the latter protested against his deeds. It was reported that the trial of the three soldiers, who served in the Gaza Strip, would begin shortly at the Southern Region Military Court. It was also reported that the IDF was investigating several other cases of brutality by soldiers. On 20 June 1991, it was reported that Herman had pleaded not guilty and the trial was postponed to allow the prosecution to prepare the evidence. Corporal Ivqi was convicted of assault, after agreeing to plead guilty in the framework of plea-bargaining between the military prosecution and the defence lawyers. The plea-bargaining was approved by the Southern Region judge-advocate. Under the bargaining the charge of cruel treatment and assault was dropped, and the only charge retained was that of assault. The defendant was sentenced to one month's imprisonment, four months' suspended term, demotion to the grade of private and a fine of NIS 100 ($40). (Ha'aretz, 19 and 20 June 1991)

252. On 19 June 1991, an Elon Moreh settler, Pinhas Assayag (22), was arrested and confessed to the killing of two Palestinians. In January 1991, he shot dead a shepherd from Azmut village, Radi a-Ouna (22). On 14 April 1991, he killed Jamil Dweikat (50), from Beita. On 21 June 1991, his detention was extended by 15 days. In another development it was reported that on 20 June 1991 the Jerusalem Magistrates Court further extended the detention of settler Barush Yelin from Susiya, suspected of killing an Arab shepherd from Yatta. He was remanded for another eight days. (Ha'aretz, Jerusalem Post, 21 and 23 June 1991; Al-Fajr, 1 July 1991)

253. On 28 June 1991, a Natanya Magistrates Court judge remanded four settlers for four days after they denied police charges that they entered Beit Umrin village and caused serious damage to property. They were named as Eyal Noked (21), Benyamin Lev (20), Israel Levinson (20), and

Ohad Leshetz (20), all from Yitzhar settlement, 12 kilometres south of Beit Umrin. Noked's wife, Einat (20), and Rehavia Filtz (19), of Tel Aviv, were released on bail. (Jerusalem Post, 30 June 1991)

254. On 2 July 1991, an Israeli resident of Jerusalem was arrested in connection with a shooting incident the previous week in which an Arab taxi-driver, Kamal Abu-Alaan (38), was shot at near Dhahiriya. A passenger, Omar Mawas (25), was also injured. The gunman then drove off in his van, which had Israeli licence plates. Police said they found a licensed pistol in the man's apartment, from which the bullet was fired. On 4 July 1991, the man was released on bail of NIS 5,000 ($2,000) by the Jerusalem Magistrates Court, and was ordered not to leave the country, despite the police request that he be remanded for another seven days. (Ha'aretz, Jerusalem Post, 4 and 5 July 1991)

255. On 4 July 1991, the Southern Region Military Court acquitted Staff-Sergeant Danny Vala of the charges of causing death by negligence, illegal use of firearms and failing to observe orders. According to the charge-sheet, on 11 February 1990, while he was doing his reserve duty in the Gaza Strip, Staff-Sergeant Vala fired a plastic bullet, from an M16 rifle, at Hussein Zihad Mustafa al-Zuam, aged 9, causing his death. The judges ruled that it had not been proven beyond doubt that the defendant was involved in the incident, even though much circumstancial evidence pointed in his direction. The soldier had admitted to firing a plastic bullet at the time and in the area in which the victim was shot. The Court criticized the investigating military police for the manner in which it investigated the incident, in particular for failing to investigate the possibility that another IDF unit was operating in the area at the same time and that the victim might have been shot by another gunman. On 23 July 1991, the military prosecution lodged an appeal to the Military Court of Appeal against the acquittal of Staff-Sergeant Vala. In another development, the same Court began hearing the trial of Sergeant Alon Mizrahi, who was charged with ill-treating Arab residents of the Ramallah area. Among other cases he allegedly kicked a Ramallah resident and his three sons in their testicles and slapped them, and ordered an Am'ari resident to burn his shirt, which was painted with the PLO flag colours. The hearing was postponed after the defendant asked to be represented by a civilian lawyer. (Ha'aretz, 5 and 24 July 1991)

256. On 18 July 1991, Jerusalem Magistrates Court Judge Ezra Kama made public his report on the Temple Mount incidents on 8 October 1990 in which 17 Arabs were killed and over 100 injured. Judge Kama headed an inquest into the incidents. In his findings, Judge Kama wrote that the incident had been triggered by a "marginal" event, the declarations of the Temple Mount Faithful, who were not allowed into the compound. The Judge blamed the police for allowing the incident to get out of control and for not correctly estimating the seriousness of the situation. The Judge singled out a number of policemen for opening fire needlessly, while not being in a life-threatening situation. But he ruled that there was insufficient evidence to press criminal charges against any of them. "Because of the nature of the

incidents which occurred on the Temple Mount compound, in which no substantial evidence was found linking each specific casualty to a specific assailant and a specific location, it is impossible to establish a causal connection between any specific assailant and any specific victim", Judge Kama wrote in his summary. He also ruled that none of the policemen should be indicted on lesser charges of criminal negligence because of the uncertainty of the evidence collected. (Jerusalem Post, 19 July 1991)

257. On 28 July 1991, the trial of Sergeant Doron Harman opened at the Southern Region Military Court. He was charged with ill-treating and beating Arab residents of the Gaza Strip, illegal use of firearms, inappropriate conduct and assault. The incidents giving rise to the charges occurred in January 1991, when Harman acted as a company commander in the Rafah area. On several occasions he allegedly slapped, kicked and beat Arab residents. On one occasion he also allegedly prevented a first-aid worker from giving medical treatment to persons whom he had beaten and injured. (Ha'aretz, 29 July 1991)

258. On 12 August 1991, it was reported that the IDF Judge Advocate-General, Brig.-Gen. Ilan Schif, decided to put on trial a paratroop officer suspected of having forced an Arab youth from Nablus to eat soap powder. The same officer was also charged with improper behaviour for entering a Nablus resident's home, while he was supposed to be manning an observation post, and watching television. It was decided that he should be put on disciplinary trial for the second charge. (Ha'aretz, 12 August 1991)

259. On 19 August 1991, the Jerusalem District Court sentenced Pinhas Wallerstein, chairman of the Mateh Binyamin Regional Council (in the West Bank) to four months' community service for causing the death of a Palestinian youth, Rabah Ghanam (16), from Beitin, on 11 January 1988, and injuring another youth. Wallerstein was originally charged with manslaughter under aggravated circumstances. He had denied the charge and later accepted a plea bargain under which he pleaded guilty to a charge of negligence. The incident giving rise to the charge occurred on 11 January 1988 when Wallerstein was on his way to the Ofra settlement. According to the original charge filed in August 1988, he noticed a burning tyre near Beitin, chased youths who were standing nearby while firing bursts to the ground, and then fired in the direction of the youths, hitting one in the back and another in his thigh. According to the revised charge he did not fire in their direction, but only at the ground, when he felt threatened, and the youths were killed by a ricochet. In addition to the community service, Wallerstein was also sentenced to 12 months' suspended term and fined NIS 8,000 ($3,200). (Ha'aretz, Jerusalem Post, 20 August 1991)

C. Treatment of civilians

1. General developments

(a) Harassment and physical ill-treatment

Oral evidence

260. Numerous accounts were given of the plight of the Arab civilians and of the constant threats to physical integrity and the psychological harm they were enduring in their day-to-day lives. Dr. Nasri Khoury, a medical doctor, provided in his testimony a very detailed account of the various weapons and methods of injury used by the Israeli occupying forces and of the long-term implications of such injuries, in particular on the young generation:

> "The first method to be used - and it was an official policy of the Israeli army - was the breaking-bone policy, a well-known policy. ...
>
> "This went on for quite a while ... After about three or four months of this policy being implemented on a large scale, it was found to be counterproductive and other methods were used instead. One such method is an automatic stone-thrower. It is a big container, full of stones and with a mechanical arm that would throw these stones back into a demonstrating crowd, and efficient enough to inflict a large number of injuries to a crowd. It has been used on a number of occasions. Tear-gas is something that, to my knowledge, has been used very extensively. I don't think that, to date, any country in the world has used tear-gas as frequently or as extensively as Israel has against civilian populations. ...
>
> "Tear-gas is meant to be used in open spaces. On a large number of occasions, it has been used in enclosed spaces. It has been thrown into hospitals, into schools, into a baby clinic last year in Gaza. When this happens and there is not enough ventilation, the amount of gas delivered to the individual is very high. ...
>
> "I am extremely concerned about the long-term effect of the use of tear-gas. Now it has been used for over three years and the civilian population has been constantly exposed to tear-gas during that time, and repeatedly so. Tear-gas also acts as a direct burning material, if delivered to the skin. We have seen cases whereby an unexploded tear-gas canister has been lifted, exploded in the hands of a child and has caused second-degree burns. I think that it would be most appropriate to consider this kind of weapons as a mild form of chemical warfare.
>
> "By far the most deadly weapon used by the Israeli army is live ammunition. ... When a high-velocity missile penetrates the body, it has a number of effects. ... When a high-velocity bullet hits a point, it will cause tissue death in a wide area of 5 to 10 centimetres around it. The medical implications are that these wounds get infected, because

of the dead tissue around, and they become much more complex, much more complicated wounds than those caused by a low-velocity missile. ...

"The high-velocity bullets ... are predominantly used by the Israeli army when they use live ammunition. ...

"The Israeli army used rubber bullets as a form of what was marketed as a 'harmless' bullet, as a bullet that does not cause significant damage. That in fact is not quite true, because actually, the rubber bullet has a metal core surrounded with a rubber casing. ... Very frequently, the rubber bullets are in fact fired at close range. When they are fired at close range, they do penetrate the body and they do cause serious bodily harm. Oddly enough, one of the most sensitive organs to rubber bullets has been the eye, because the eye is a non-protected organ, very soft and very sensitive. We have seen a very large number of eye injuries requiring enucleation. ...

"As time went by and the intifadah persisted, different methods were introduced at different times to combat crowds and, subsequently, the so-called plastic bullets were introduced into the armamentarium of the Israeli army. ... They are often fired at short range, causing serious and at times lethal bodily harm. ...

"Again, as time went by, yet other methods were used and other types of bullets were introduced which I refer to as 'second-generation plastic bullets'. Some have called it the 'second-generation rubber bullet'. ... If you fire one cartridge into a crowd, you will be able to shoot down 18 people at one time. So, as far as the Israelis are concerned, it is an efficient method of dealing with crowds. It was marketed as a 'safe' kind of weapon, but in fact it is not. We have seen numerous injuries caused by these bullets, which penetrated the body and caused lethal bodily harm. ...

"The implications are quite substantial. The first implication is the large number of disabled individuals who are being produced on a daily basis. ... The very large number of disabled persons is far too great a strain on society, particularly when you take into account that roughly 75 per cent of those injured are below the age of 30, who would normally be people in the prime of their life, being productive, being responsible for their young children and elderly parents, so that the socio-economic implications here are of significance too. ...

"Another major, and unseen, problem is the psychological effects on the population at large and on specific individuals. I think specifically of the effects on the arrested individuals and their presence in the detention centres, prisons, etc. ... Figures of the number of those arrested vary between 100,000 and 200,000, since the beginning of the intifadah. This is a large proportion of the population. ...

"It is quite natural to see children in Palestine playing with spent rubber bullets, spent cartridges, sticks, tear-gas canisters, etc. ... All this in my opinion will have a great effect on the development of that society in the future, I am very sad to say. God knows how detrimental that will be, even if it might not be evident now. ...

"In my opinion, the psychological repercussions are very difficult to pinpoint at the moment. ... There is ... a heightened state of mind among these individuals. I think the more serious and the more deep-seated scars will become evident more on the long-term basis, so that, for example, a 10-year-old boy who has been severely beaten by an Israeli soldier will not necessarily freely volunteer the fact that he is waking up every night from nightmares, because it is not the done thing to admit that you are afraid of the Israeli soldiers. So, even though he is afraid, he will not admit it. I think that these scars are very deep-rooted." (A/AC.145/RT.566)

261. The indiscriminate nature of violence, affecting even small children or retarded people, was evidenced by several testimonies:

"Curfews were imposed. My house is overlooking the street. At 2 o'clock in the morning once, the occupation forces came and stoned the house, breaking the gate. I said, why didn't they come up and talk to me, instead of stoning the house. The next day, at noon, they fired tear-gas at us. My three-year-old child suffered from asphyxia. There was curfew and I was unable to take him to a first-aid unit or to hospital. It was only later on that the neighbours came and tried to help as best as they could. The child regained consciousness. The next day, as I was away with my father, they came to the house, broke the door of the house, they broke the closet, they pushed the sofas aside, not taking any consideration of the fact that the owner of the house was not there. When I came back, I told them that they had no right to enter when I am not in the house. But somebody fired a bomb at me." (Anonymous witness, A/AC.145/RT.560)

"There was an agent who used to come to the house where I lived alone with my child. He would come about every three months, at night, usually around midnight or 1 o'clock in the morning. The reasons for the visit would be ambiguous, not clear at all. Of course, they don't knock and ask to enter. They almost break through the house and they intimidate us. The intelligence agent is usually accompanied by two or three other persons, and they themselves are accompanied by not less than 30 soldiers, although they know very well that I live alone, that I have nobody with me, only a small child. Nevertheless, they would repeat these visits every three months." (Anonymous witness, A/AC.145/RT.559/Add.1)

"They had established a camp near one of the schools in the village. Once the army came to my father's house, at about 10 at night. They took my brother away, as well as some children of the neighbours.

They gathered them and took them towards the camp. They forced them to sweep the street. It was 12 o'clock at night. They did not give them anything to clean with, so they had to clean with their hands. ... They took them to the camp, they beat them severely. When they released them, it was 4 o'clock in the morning. ... Some of them were unable to walk, because of the heavy beating they had suffered. We tried to have ambulances to transport them to hospital. There they were given the necessary first aid and they came back home." (Anonymous witness, A/AC.145/RT.560)

"I have a 19-year-old son. He is retarded, he gets fits. He can barely write. We were not able to educate him. Usually, he plays with small children of five or six years. He cannot communicate with adults. One day, he got out of the house, to go to his brother's place of work. The Israelis caught him in the street. They told him to run and they had their car behind him, chasing him. They hit him, broke his teeth and also shot a bullet in his cheek. His brother then took him to hospital. There was no obvious reason for what they did to the boy." (Anonymous witness, A/AC.145/RT.564)

262. The denial of medical treatment to people wounded in the course of incidents and the storming of hospitals was also referred to:

"I heard that there had been a demonstration in the camp and that my aunt had died. I went to see her and as I was looking at her, I was hit by a bullet from the back. I lost consciousness and fell on the ground. I was bleeding a lot. The Israelis prevented the ambulance from taking me and from getting any medical help. Finally, a youth came, brought an Arab car and took me to hospital. The Israelis followed us and started breaking everything in the hospital, because they wanted to take me away. I was operated that night. They tried to take me away from the operation room. I stayed two months in the hospital." (Anonymous witness, A/AC.145/RT.565)

"A number of cases of harassment have been documented, where ambulances have been stopped or returned. A patient has been transported from Nablus to Jerusalem, half way through, for some reason or another the army checkpoint feels that they should not continue their journey and they send them back to Nablus. Obviously this has an effect on the quality of medical care that the patients receive. A number of cases have been reported of army personnel entering hospitals, physically attacking doctors, physically apprehending patients and taking them to unspecified locations. All this obviously hampers the work of the medical staff in delivering the necessary medical services for the patients." (Dr. Nasri Khoury, A/AC.145/RT.566)

263. The arbitrary seizure of driving licences or cars by the military authorities was also mentioned:

"The Israeli army would also go to parking places. They stop the drivers, they take their driving licence away, park their own vehicles in such a way that they block the other citizens' cars and this from 8 o'clock in the morning until sunset sometimes. It all depends on their mood. It is like this under occupation.

"Once they stopped my cousin. They took his private car and kept it for four days at the office of the military governor. They do so, because when they go to arrest some Arab people, they use Arab cars, to conceal their identity as Israeli police. They also use Arab cars to assault Arab villages and arrest the young men there." (Anonymous witness, A/AC.145/RT.560)

264. The particularly harsh living conditions during the Gulf war were also mentioned by many witnesses:

"I used to walk in Jerusalem or in Nablus. In Jerusalem, I watched many brutal actions. They used to beat the children and insult them. If the children had bought something, they would throw it on the ground. They would stop them on the street for no reason at all and also put them into prison." (Mr. Hassan Odeh Ahmed Odeh, A/AC.145/RT.559)

"When the Gulf war started, a curfew was imposed on us. Two or three families of our quarter would get together in one house, as a kind of protection, because we were scared of remaining alone. We would close up the house, the doors, the windows. We were ordered to do that. We could not go out. Every two or three days, we were allowed one or two hours to go out and do the shopping.

"My son's daughter, who is three years old, got a toothache during that time. We wanted to take her to the doctor, but we were not allowed to leave the house. The little girl was in pain, she was crying and screaming. When we explained that we had to take her to the doctor, we were told that we should just put some cold compress on her cheek.

"In more extreme cases, when for instance a woman was about to give birth to a child, or when somebody was having a grave health problem, we still could not go out, but we managed to convey the seriousness of the situation to the Israeli troops, who would eventually get in touch with the Red Cross." (Anonymous witness, A/AC.145/RT.564)

265. Testimonies relating to the harassment and physical ill-treatment of civilians in the occupied territories may be found in documents A/AC.145/RT.557/Add.1 (an anonymous witness); A/AC.145/RT.559 (Mr. Radwan Ahmed Mohammad Ziadeh; Mr. Hassan Odeh Ahmad Odeh); A/AC.145/RT.559/Add.1 (an anonymous witness); A/AC.145/RT.560 (three anonymous witnesses); A/AC.145/RT.560/Add.1 (Mr. Mohammed Melhem); A/AC.145/RT.564 (an anonymous witness); A/AC.145/RT.565 (two anonymous witnesses); A/AC.145/RT.566 (Mr. Abdel Jawad Saleh; Dr. Nasri Khoury); A/AC.145/RT.567 (two anonymous witnesses); A/AC.145/RT.569 (Mrs. Manal Achour); A/AC.145/RT.569/Add.1 (an

anonymous witness); A/AC.145/RT.570/Add.1 (an anonymous witness); and A/AC.145/RT.573 (an anonymous witness).

Written information*

266. On 28 April 1991, it was reported that, according to Betzelem, nine members of the family of a wanted man were harassed and forced to present themselves every morning, for 39 days, at the military government headquarters in Khan Younis. The wanted man is Muhammad Shahwan. His brother and wife alleged that a GSS agent and troops beat and ill-treated them when they came to arrest Muhammad and did not find him at home. The ID cards of nine family members were taken away, despite previous commitments by the IDF not to resort to such a measure as a means to exert pressure. The cards were given back after 39 days. The IDF spokesman had so far not commented on the allegations. (Ha'aretz, 1 May 1991)

267. On 5 June 1991, it was reported that a woman from Yabad, Moyassar Athamna (31) gave birth in the back of a taxi on 15 May 1991, when the car in which she was travelling on her way to hospital in Jenin, was stopped by soldiers for an hour. There was no curfew in Jenin at the time. A complaint was filed about the incident. A military spokesman said it was military policy not to stop people who were being rushed to hospital. (Jerusalem Post, 5 June 1991)

268. On 5 June 1991 soldiers raided homes in Ein Beit al-Ma camp near Nablus and made 20 refugee camps sweep the main street after confiscating their ID cards. Soldiers later said this was in response to stone-throwing at a military post. (Jerusalem Post, 6 June 1991; Al-Fajr, 10 June 1991)

269. On 30 June 1991, it was reported that, according to a complaint by a resident of Battir, near Bethlehem, soldiers stationed in a look-out post located on top of a private building, had caused serious damage to property and stolen expensive sanitary and electric appliances. The house belongs to Muhammad Halawa. The Civil Administration sent an officer to examine the complaint, and the owner was told he had to prepare a list with the damages caused to him in order to be compensated. The IDF spokesman declined to comment on the report. (Ha'aretz, 30 June 1991)

270. On 9 and 12 July 1991, it was reported that the army was investigating three recent allegations that soldiers in rooftop observation posts in Nablus and Batir had vandalized property or abused residents in their homes. In one case, reported by MK Dedi Zucker, soldiers allegedly entered the home of the al-Masri family in Nablus and locked the family in one room for eight hours,

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 141 to 145 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 152 and 153 of document A/46/282.

barring them from using the toilet. Following a complaint by the family, an officer was sent by the Nablus governor. He found extensive material damage deliberately caused by the soldiers. The post was removed from the house, according to MK Zucker. In another development, it was reported on 24 July 1991 that MK Hussein Faris had written a letter to Defence Minister Arens demanding that there be an investigation into an incident in which soldiers had allegedly been occupying a room in a Nablus family's home for a month and a half. The soldiers have been barring the family from a rooftop food warehouse and oven, and urinating off the roof. Military sources said the reports were being investigated. (Ha'aretz, 9 July 1991; Jerusalem Post, 12 July 1991)

271. On 22 August 1991, it was reported that Betzelem had filed a complaint with the IDF that soldiers had been harassing a released Palestinian prisoner, Ahmed Shreim from Kalkilya, who had serious health problems. According to Betzelem, Shreim carried a "green ID card" preventing him from entering Israel, but owing to his health problems he had been given a special permit to cross the Green Line. Nevertheless, every time he tried to pass through IDF roadblocks soldiers delayed him, cursed him and beat him. Shreim had served a 22-year term in an Israeli jail for various security offences. (Ha'aretz, 22 August 1991)

(b) Collective punishment

(i) General developments

Written information*

(ii) Demolition of houses

Oral evidence

272. A number of witnesses referred to the demolition of their house as a measure of collective punishment in the course of their testimony:

> "At 1.30 in the morning, the Israeli army came and said that we had to empty the house completely, as they were going to demolish it. There were 14 persons living in the house, me, my husband, my children. One of my sons is married. So his wife and his three children were also with us. We were all shouting and crying and asking where we could go. The soldiers did not give us any answer, they just ordered us out, pushed the girls out - they are 18, 16 and 14 - they pushed me as well. We saw the bulldozer demolishing the house. It demolished the whole of it. We

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* Information on this subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraph 154 of document A/46/282.

could do nothing but stay and watch. Some people, whose houses were also demolished, were obliged to go to hospital to live there. We did not want to go, because we are a big family with small children. My husband refused to go and we stayed on the wreckage of our house. The Red Cross came and brought us a tent. We spread the tent and until now we live in this tent." (Anonymous witness, A/AC.145/RT.565)

"They surrounded the camp for 30 days, arrested young people, destroyed houses and shops. My house, which has two rooms and a shop, was partly destroyed. The shop was destroyed. In fact, they destroyed about 40 shops. ... My shop on the ground floor, on the side of the main street, was destroyed. Upstairs, the rooms, which I was keeping for my son, were also demolished." (Anonymous witness, A/AC.145/RT.565)

"The occupation authorities try to exploit every possible opportunity to demolish or remove a building. Sometimes they give security reasons as a pretext. Sometimes they use the pretext of lack of licence or permit for the house. The security consideration is mostly that a member of the family is or has been arrested or detained. Then the whole house is demolished. Regarding house permits, the municipality exerts great pressure on the Palestinian inhabitants of Jerusalem by withholding the permits. When a Palestinian citizen wanting to build a house on his land seeks a permit and then builds the house before getting it, the authorities demolish the building. Sometimes they do this because the site of the house is in contradiction with the interests of the occupying Power and it also comes into conflict with their policy of bringing settlers, or bringing immigrants from the Soviet Union and Ethiopia, as well as from other parts of the world." (Mr. Mahfouz Jaber, A/AC.145/RT.563)

273. Accounts of the demolition of houses may be found in documents A/AC.145/RT.561 (an anonymous witness); A/AC.145/RT.563 (Mr. Mahfouz Jaber); A/AC.145/RT.565 (two anonymous witnesses); and A/AC.145/RT.569/Add.1 (an anonymous witness).

Written information*

a. List of houses or rooms that were demolished or sealed

274. The following table provides details concerning houses or rooms that were demolished or sealed between 1 April 1991 and 31 August 1991 in the occupied territories and the circumstances of their demolition or sealing as reported

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraph 146 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraph 155 of document A/46/282.

in various newspapers. The following abbreviations of the names of newspapers are used in the table:

AF Al-Fajr

H Ha'aretz

JP Jerusalem Post

Date	Place	Remarks and source
8 April 1991	Jabalia	The house of Rashid Abu-Shabak was demolished. He is suspected of heading a Fatah group responsible for several acts of abduction and murder of people suspected of collaboration. He fled the region. (H, 9 April 1991; AF, 15 April 1991)
12 April 1991	Deir Balut	The house of Dr. Ribhi Rashid was sealed. He has been detained for a year for security offences. (H, 14 April 1991)
23 April 1991	Rafah	The houses of Ismail Salama Suleiman and Yusuf Ali Hasan were demolished. Both were arrested on suspicion of taking part in the violent activities of a Fatah strike force responsible for killing and attacking alleged collaborators. (H, 24 April 1991; AF, 29 April 1991)
29 April 1991	Jabalia	The house of Husein Mahmud Bureid was demolished. He is suspected of membership of Fatah and attempting to attack IDF troops. (H, 30 April 1991)
29 April 1991	Sinjil, near Ramallah	The house of Yusuf Mahmud Afari was demolished and that of Rafhi Hasan Aziz Afari was sealed. The first killed three alleged collaborators; the second participated in the murder of a local Arab. Both had petitioned the High Court of Justice but their petitions were rejected. (H, 30 April 1991; AF, 6 May 1991)

Date	Place	Remarks and source
30 April 1991	Hebron	The flat of Abed Yacub Muhatsab was sealed, after the High Court of Justice rejected his family's petition against the sealing. He was accused of throwing petrol bombs and charges at IDF posts and vehicles. (H, 1 May 1991)
6 May 1991	Burqin, near Jenin	The house of Nasser Imad Kassem A-Tik was demolished after a petition to the High Court of Justice to stop the demolition was rejected. He had pleaded guilty to killing alleged collaborators. (H, 8 May 1991)
6 May 1991	Jenin	The apartment of Yasser Amin Mussa Hamed was sealed after his family's petition to the High Court was rejected. He had confessed to attacking local residents whom he suspected of collaboration, as well as security forces during disturbances. (H, 8 May 1991)
21 May 1991	Tulkarm camp	The houses of Khaled Hajaba and Alam Jaber were demolished and that of Walid Nafa' sealed. The three are members of the Black Panther gang responsible for numerous killings and attacks on alleged collaborators. The families of the three had petitioned the High Court but their petitions were rejected. (H, JP, 22 May 1991)
27 May 1991	Beit Diko, near Ramallah	The house of Yasser Taysir Muhammad Daoud was sealed. He was convicted of stabbing three Israelis in Jerusalem on 17 May 1991. (H, 28 May 1991)
29 May 1991	Rafah	The house of Ahmed Muhammad Sufi was demolished. He admitted trying to kill his Israeli employer and being a member of a Fatah strike force. (H, JP, 30 May 1991)

Date	Place	Remarks and source
30 May 1991	Mazari el-Nubani village, near Ramallah	The house of Nasser Mustafa el-Nubani was sealed. He is suspected of having thrown petrol bombs at IDF patrols. (H, 2 June 1991)
3 June 1991	Jericho	The house of Bilal Amar was demolished. He was arrested and confessed to throwing a hand-grenade at Israeli hikers in July 1986, injuring 18. His family's petition to the High Court was rejected. (H, 4 June 1991)
3 June 1991	Yatta	The house of Nabil Abu Kabateh was demolished. He confessed to shooting, throwing petrol bombs and attacking alleged collaborators. His family's petition to the High Court was rejected. (H, 5 June 1991; AF, 10 June 1991)
4 June 1991	Rafah	A room in the house of Saleh Odeh Hassin Adwan was demolished. He is suspected of attacking alleged collaborators and participating, with many others, in the stoning to death of an alleged collaborator, a resident of Rafah, in August 1990. (H, 5 June 1991)
12 June 1991	Azmut	The houses of Jafer Sawalha and Husni Sawalha were demolished. The two carried out a stabbing attack in an Israeli bus in December 1990. The houses were sealed soon after the incident. The families petitioned the High Court against the demolition but the petitions were rejected. (H, 13 June 1991)
26 June 1991	Beitunia	The apartment of Mahmud Sharka was sealed. He confessed to the killing of a local resident suspected of collaboration. (H, 27 June 1991)

Date	Place	Remarks and source
27 June 1991	Rafah	A room in the house of Mussa Abd el-Majid Hussein Abu-Anyan was demolished. He was arrested on suspicion of activity for a Fatah strike force, including attacking alleged collaborators. (H, 28 June 1991; AF, 8 July 1991)
4 July 1991	Nablus	The home of Bassan Mamduh and Amar Akram, of the Darwish Subuh family, was sealed after they confessed to killing an alleged collaborator. The family's petition to the High Court of Justice was rejected. (H, 5 July 1991)
6 July 1991	Rafah	The home of Ramdan Yussuf Ahmed Yazuri was partially demolished. He is suspected of setting up Hamas cells, including a strike force, which, under his guidance, murdered four alleged collaborators and attacked several others. (H, 7 July 1991)
8 July 1991	Idna	A room belonging to Hitam Salmiya was sealed. He had confessed to throwing petrol bombs and attacking alleged collaborators. (H, 10 July 1991)
15 July 1991	Jenin	The home of Osama Silawi was sealed. He has been wanted for killing four alleged collaborators. The sealing of a home of a wanted man, before he is captured, was explained as a deterrent measure. (H, 16 July 1991)
17 July 1991	Abu Dir	A room in which Amar Hadadun (21) resided was sealed. He was arrested after throwing petrol bombs at alleged collaborators and distributing money on behalf of the Democratic Front. (H, 19 July 1991)

Date	Place	Remarks and source
17 July 1991	Eizariya, east of Jerusalem	A room in which Musa Abu-Rami resided was sealed. He took part in an attempted murder of an alleged collaborator, set fire to a bus in Abu Dir and threw stones at Israeli cars. (H, 19 July 1991)
24 July 1991	Rafah	The houses of three wanted members of the Black Panther group were demolished. The group is said to be responsible for 13 murders of alleged collaborators. The three are believed to have fled to Egypt. They were named as Yasser Zanum, Nazer al-Ahrash and Adal Zaruk. (H, JP, 25 July 1991)
25 July 1991	Nuseirat camp, Gaza	The home of Jamal Abd el-Kader al-Baz was sealed. He had run over and killed an IDF soldier, Nadar Deri. (H, 26 July 1991)
9 August 1991	Rafah	The house of Shahan Abu Hamis was demolished and that of Khalil Ja'abari partially demolished. Both men were arrested on 16 June 1991 after being wanted for a long time for membership of the Black Panthers and killing several alleged collaborators. (H, 11 August 1991)
12 August 1991	Bidya village	The house of Faiz Odeh was sealed. He was wanted on suspicion of involvement in abducting and killing several alleged collaborators. (H, JP, 14 August 1991)
13 August 1991	Aqaba village	The house of Imad Masri was demolished. He was convicted of killing an Israeli civilian, Yosef Malchin, whose body was discovered on 29 December 1990. (H, 15 August 1991)

Date	Place	Remarks and source
19 August 1991	Ein el-Sultan camp, near Jericho	The house of Mustafa Kurdi was demolished. He was arrested on 8 February 1991 for membership of a strike force throwing petrol bombs and shooting at Israeli cars. (H, 20 August 1991)
22 August 1991	Nuseirat camp	The house of Jamil Albaz was demolished. He confessed to having run over two soldiers on 19 July 1991, killing one and injuring another. (JP, 23 August 1991)

b. Other developments*

275. On 26 and 28 April 1991, it was reported that the IDF had decided to demolish the house of Munzir Abdullah from Hebron who was killed on 15 April 1991 after he drove over a soldier and injured him. He left a wife and six children, the youngest being 10 months old. ACRI appealed to the West Bank commander against the decision, arguing that apart from the illegality of collective punishment under international law, Abdullah had already paid the ultimate price for his alleged act. Destruction of his house could serve neither as a deterrent to him, nor to his family. The house was sealed two days after the incident. On 12 May 1991, it was reported that Central Region Commander Danny Yatom had decided not to demolish the home of Munzir Abdullah. Instead, the room in which Abdullah lived would be sealed. (Ha'aretz, 26 April 1991; Jerusalem Post, 28 April 1991; Ha'aretz, Jerusalem Post, 12 May 1991)

276. On 28 April 1991, Betzelem reported that the security forces demolished two houses and sealed seven others over the month of Ramadan. According to the human rights group, in previous years the security forces refrained from such measures during the Muslim holy month. It was further reported that since the beginning of the uprising 392 houses were demolished: 217 in the West Bank and 175 in the Gaza Strip. Some 261 houses were sealed: 186 in the West Bank and 75 in the Gaza Strip. (Ha'aretz, 1 May 1991)

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 147 to 159 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 156 to 158 of document A/46/282.

277. On 30 April 1991, the High Court of Justice rejected petitions by four Tulkarm families against the demolition of their houses. Their sons, Haled Hajba, Alam Jabir, Walid Nafa and Muhammed Shahada, were members of a "Black Panther gang" responsible for several murders of alleged collaborators. The Court said it had been proven that the four lived in the houses and that the Regional Commander had the authority to order the demolitions. (Ha'aretz, Jerusalem Post, 1 May 1991)

278. On 10 May 1991, it was reported that a Jenin resident, Khaled Kamal Shilawi, had received a warning that his home would be sealed within 48 hours owing to the fact that his son, Osama, was wanted on suspicion of killing alleged collaborators. It was reported that the penalty of demolition or sealing of houses was generally resorted to only in cases in which suspects had already acknowledged to their interrogators having carried out the act attributed to them. It was very rare to resort to such a practice in the case of wanted suspects. The family reportedly rented the house from Mahmud Kanaan, who lives in Amman, and whose wife lived in the top floor; but the authorities nevertheless intended to seal the house. (Ha'aretz, 10 May 1991)

(iii) Imposition of curfews, sealing off or closing areas

Oral evidence

279. Several witnesses referred to the measure of imposing prolonged curfews upon the civilian population during the Gulf war and the dramatic repercussions of this practice on living conditions:

> "My wife was baking bread during the curfew time. The Israeli patrol walked in and prevented her from continuing baking the bread in the clay oven, left her in the room where the oven was and closed the door. If we had not become aware that she was there closed in, she might have died. They also stormed into the house, put the children in the bathroom and it is a miracle that they were not killed. They broke the furniture, searched the house and took away whatever they found. This all happened in my own house.
>
> "I know also of some neighbours who had closed the door of their house and lit a fire. It was in winter. The soldiers stormed the house and prevented them from lighting a fire. A third experience, a young girl was washing the stairs of her house and they prevented her from carrying on with her job, pushed her into her home and closed the door behind her. When they are patrolling, whether on foot or not, any child - even children of six years, as I remember - can be arrested and have to pay fines, up to 1,000 shekels. I know of an example in our village where the father of two young boys, aged six and eight, had to pay a fine of 1,000 shekels for each one. ...
>
> "During the curfew, there were many acts of harassment. ... We had about 2,000 chickens, they were about 30 days old. They all died, because we did not have poultry feed and were prevented during the curfew

from getting it. This is what happened to me, but other people had sheep for instance and were prevented from going out with their sheep to the pasture land. There were also farmers being prevented from leaving their house and tilling their land. Anyone who ventured to get some food or anything would try to do so at night and, if they caught him, he would be fined, between 500 and 1,000 shekels, and sometimes even 2,000 shekels. During the curfew, we suffered very much economically. The curfew was continuous, 24 hours a day. From time to time, after two or three days, they would allow us out for two hours. They would lift the curfew in one village, but not in the other ones, so you could not leave your village and go to another one. So, you could say that at least 90 per cent of the social life was restricted, in fact non-existent."
(Mr. Hassan Odeh Ahmad, A/AC.145/RT.559)

"For 37 days, we lived under curfew. The farmers were unable to go and cultivate their land, they were unable to harvest and unable to feed their families. On the tenth day of the curfew, the women only were allowed to go out for one hour or two to do the shopping and buy food. The shops were closed and even for those few hours when they were open, they were empty, they had no supply. The shopkeepers were not allowed to go to Israel, except with a special permit, so they could not bring any provisions to their Gaza Strip shop.

"The impact of the curfew was very bad, especially on children, because they were unable to get enough food and they suffered from malnutrition. The army was patrolling everywhere and was preventing the people from going anywhere, even to hospital. If we had to go to hospital, we needed a permit." (Anonymous witness, A/AC.145/RT.570/Add.1)

"During the Gulf war, not one institution was able to work, particularly during the month of February, while the air attacks were continuously taking place. Nobody was able to move. We were living under total curfew. All institutions, whether educational or otherwise, were closed. Until a few days ago only, you could not go to Jerusalem without a permit." (Anonymous witness, A/AC.145/RT.560)

"During the Gulf war, because of the curfew, we could not go out and buy things. Sometimes we did not have enough in the house. Certain days, all I could do was to bake some bread and give my family nothing but this bread. I used to go out myself to do the shopping. We were all very scared. We did not let the men go out, because they used to shoot at the men. It was easier for the women to go out and do the house shopping.

"The curfew was imposed for a stretch of 45 days. My husband was at home for three months. He was not allowed into Israel to work. So, he could not work and there was no income. After the curfew time, trucks would pass through the village carrying some food stuffs. The women would go out. We were beggars. We had to talk to them and beg from them, because we were in such dire straights, we did not have enough

food. We had to beg and they would give us the food."
(Mrs. Soad Turkoman, A/AC.145/RT.564/Add.1)

"These curfews have had an enormous and tremendous negative impact on the Palestinian economy, on Palestinian education and even on the psychology of the Palestinian people. I don't know whether history can recall any such halt to all activity and life for a period of more than one month - cutting at some stages electricity and water, preventing people from working and creating an impossible state of life in the occupied territories. ... I believe that the aim of this policy is to impose a kind of collective transfer of the Palestinians, in such a way that the international community will not be aware of."
(Mr. Abdel Jawad Saleh, A/AC.145/RT.566)

280. Testimonies relating to the imposition of curfews may be found in documents A/AC.145/RT.559 (Mr. Hassan Odeh Ahmad Odeh); A/AC.145/RT.560 (an anonymous witness); A/AC.145/RT.560/Add.1 (Mr. Mohammad Melhem); A/AC.145/RT.564/Add.1 (Mrs. Soad Turkoman); A/AC.145/RT.565 (an anonymous witness); A/AC.145/RT.566 (Mr. Abdel Jawad Saleh); A/AC.145/RT.570/Add.1 (an anonymous witness); and A/AC.145/RT.571 (Mr. Jamal Zaqut).

Written information*

281. On 4, 5 and 6 April 1991, the East Jerusalem neighbourhood of Wadi Joz was placed under curfew following stone-throwing incidents. Ramallah and several camps were under curfew over the weekend. (Ha'aretz, 7 April 1991)

282. On 7 April 1991, the curfew in Wadi Joz was lifted. (Ha'aretz, 8 April 1991)

283. On 8 April 1991, Anabta and Nur Shams camps were placed under curfew following disturbances. (Ha'aretz, 9 April 1991; Al-Fajr, 15 April 1991)

284. On 9 April 1991, Nablus, Jenin and eight refugee camps in the northern West Bank were placed under curfew as US Secretary of State Baker began his visit to Israel. (Ha'aretz, 10 April 1991)

285. On 10 April 1991, Jenin and the nearby camp were placed under curfew following the murder of a relative of the town's mayor (see list). The Red Eagle gang claimed responsibility for the murder. The curfew in Nablus and nearby camps was lifted, except in Ein Beit al-Ma, where troops arrested wanted residents. (Ha'aretz, 11 April 1991)

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 160 to 198 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 159 to 215 of document A/46/282.

286. On 12 and 13 April 1991, Jenin and the nearby camp remained under curfew. (Ha'aretz, 14 April 1991)

287. On 14 April 1991, Hebron was placed under curfew. (Ha'aretz, 15 April 1991)

288. On 15 April 1991, Khan Younis and Jabalia were placed under curfew to prevent incidents during the Id al-Fitr holiday. Curfews in the West Bank were lifted. (Ha'aretz, Jerusalem Post, 16 April 1991)

289. On 16 April 1991, the territories were sealed off from Israel on the occasion of Israeli Independence Day. Preventive curfews were imposed in several areas, mainly in camps in the Gaza Strip. (Ha'aretz, 17 April 1991)

290. On 26 and 27 April 1991, Rafah and Hebron were placed under curfew. (Ha'aretz, Jerusalem Post, 28 April 1991)

291. On 30 April 1991, Bethlehem was declared a closed military area. (Ha'aretz, Jerusalem Post, 1 May 1991)

292. On 2 May 1991, curfews were imposed in Shu'fat and Jabalia. (Ha'aretz, Jerusalem Post, 3 May 1991)

293. On 3 and 4 May 1991, a curfew was imposed in Jabalia and Beit Lahiya, in the Gaza Strip. (Ha'aretz, Jerusalem Post, 5 May 1991)

294. On 21 May 1991, the curfews imposed on wide areas of the Gaza Strip were lifted. (Ha'aretz, Jerusalem Post, 22 May 1991)

295. On 5 June 1991, a curfew was imposed in Ramallah as searches were under way. (Ha'aretz, Jerusalem Post, 6 June 1991)

296. On 12 June 1991, a curfew was imposed in Bidya village. (Ha'aretz, 13 June 1991)

297. On 17 June 1991, curfews were imposed in Nablus and in the Balata and Askar camps. (Ha'aretz, 18 June 1991)

298. On 21 and 22 June 1991, Shati' camp was placed under curfew. (Ha'aretz, Jerusalem Post, 24 June 1991)

299. On 24 June 1991, the curfews in Khan Younis and Shati' were lifted. (Ha'aretz, Jerusalem Post, 25 June 1991)

300. On 25 June 1991, the curfew in Khan Younis remained in force. (Ha'aretz, Jerusalem Post, 26 June 1991)

301. On 28 and 29 June 1991, villages near Bekaot in the Jordan Valley were placed under curfew. Shati' camp was placed under curfew. (Ha'aretz, Jerusalem Post, 30 June 1991)

302. On 1 July 1991, Bureij camp was placed under curfew. The centre of Gaza remained under curfew following the throwing of a hand-grenade at an IDF patrol the previous weekend. (Ha'aretz, Jerusalem Post, 2 July 1991)

303. On 9 July 1991, Rafah and Khan Younis remained under curfew following the shooting incidents in which two Israeli civilians were injured. (Ha'aretz, 10 July 1991)

304. On 11 July 1991, the curfew in Khan Younis was lifted. (Ha'aretz, Jerusalem Post, 12 July 1991)

305. On 14 July 1991, the Tulkarm camp was placed under curfew. The curfew in Nablus and nearby camps was lifted. (Ha'aretz, 15 July 1991)

306. On 16 July 1991, a curfew was imposed in Bidu, near Ramallah, following the stoning of a settler's car. The curfew in Idna was lifted. (Ha'aretz, 17 July 1991)

307. On 18 July 1991, Jenin was placed under curfew following a shooting incident in which a youth was killed (see list). (Ha'aretz, Jerusalem Post, 19 July 1991)

308. On 19 and 20 July 1991, the curfew in Jenin was lifted after three days. (Ha'aretz, Jerusalem Post, 21 July 1991)

309. On 24 July 1991, Jenin was placed under curfew. (Ha'aretz, Jerusalem Post, 25 July 1991)

310. On 26 and 27 July 1991, a curfew was imposed in Sheikh Radwan and in nearby Shati' camp. (Ha'aretz, Jerusalem Post, 28 July 1991)

311. On 28 July 1991, the curfews in Sheikh Radwan and Shati' remained in force. (Ha'aretz, 29 July 1991)

312. On 29 July 1991, curfews were imposed in Halhul, Dheisheh and Awarta, following various incidents. The curfew in Sheikh Radwan remained in force. (Ha'aretz, Jerusalem Post, 30 July 1991)

313. On 30 July 1991, the curfew in Sheikh Radwan, Dheisheh and Nur Shams was lifted. Curfews remained in force in Awarta and Balata. A curfew was imposed on Hebron. (Ha'aretz, Jerusalem Post, 31 July 1991)

314. On 31 July 1991, curfews were imposed in Tulkarm camp and in Fandukamiya following incidents. (Ha'aretz, Jerusalem Post, 1 August 1991)

315. On 1 August 1991, curfews were imposed in Hawara and Einabus villages. (Ha'aretz, Jerusalem Post, 2 August 1991)

316. On 2 and 3 August 1991, Jenin and the nearby refugee camp were placed under curfew and some 30 people suspected of hostile activity were arrested.

Azun, near Kalkilya, was placed under curfew after a petrol bomb was thrown at an Israeli vehicle. (Ha'aretz, Jerusalem Post, 4 August 1991)

317. On 6 August 1991, Shati' and Sheikh Radwan remained under curfew following violent clashes that occurred the previous day. The Jenin area was placed under curfew. (Ha'aretz, Jerusalem Post, 7 August 1991)

318. On 7 August 1991, Balata camp was placed under curfew after local residents knocked down part of the fence surrounding the camp, which had been erected by the IDF to prevent stone-throwing. Soldiers forced local youths to rebuild the fence. (Ha'aretz, Jerusalem Post, 8 August 1991)

319. On 9 and 10 August 1991, Shati' camp remained under curfew. (Ha'aretz, Jerusalem Post, 11 August 1991)

320. On 11 August 1991, the curfew imposed in Shati' camp was lifted after one week, during which 30 residents suspected of participating in rioting were arrested. The Aqabat Jabr camp was placed under curfew. A suburb of Jenin was placed under curfew after shots were fired at an IDF patrol. (Ha'aretz, Jerusalem Post, 12 August 1991)

321. On 12 August 1991, Anabta was placed under curfew after a petrol bomb was thrown at an IDF observation post. (Ha'aretz, Jerusalem Post, 13 August 1991)

322. On 13 August 1991, the soldiers enforced a curfew in Hebron. (Ha'aretz, Jerusalem Post, 14 August 1991)

323. On 14 August 1991, in Kabatiya, the army imposed a curfew after shots were fired at the military government building. (Ha'aretz, Jerusalem Post, 15 August 1991)

324. On 19 August 1991, the centre of Ramallah was placed under curfew after two separate incidents in which petrol bombs were thrown at an IDF Israeli car. (Ha'aretz, Jerusalem Post, 20 August 1991)

(iv) Imposition of economic sanctions

Oral evidence

325. Some witnesses referred in the course of their testimony to the use of economic sanctions by the occupying authorities as a form of collective punishment. Such sanctions usually take the form of fines and taxes adding to the financial burden of the civilian Arab population:

> "If the Israelis find a slogan on a house, they take pictures of it and then withdraw the ID card of the owner of the house and impose a fine on the occupants of the house. If the fine is not paid, it gets increased and is coupled with a term of imprisonment. In some cases it could affect a mother who has 12 children and she cannot afford to leave them and go to prison. So they are putting these fines on women. This is considered a great harassment on women in the West Bank. ...

"One year ago, in Jenin, they tried to impose fines on those selling vegetables. For a whole month, Jenin was closed. I used to go there for my work and then found out that it was closed. The vegetable sellers have a kind of cart costing 50 dinars. The Israelis wanted them to pay a fine of 20 dinars. But they don't make that much profit, so they staged a strike and the fine was cancelled. Now in Nablus, the Israelis come to the people and overturn the carts carrying vegetables, so that the owners lose their cargo and hence their means of livelihood." (Anonymous witness, A/AC.145/RT.560)

"There are very heavy taxes on shopkeepers, on the owners of grocery shops. It is well known that these shops are not open before 12 o'clock and that some days they are not allowed to open for more than two hours, because of the heavy taxes imposed on the shopkeepers. Heavy taxes are also imposed on cars. ...

"There is income tax, customs tax. Two years ago for instance, a blacksmith was asked to pay the equivalent of 25,000 Jordanian dinars. During these two years of the uprising, he could not pay such an amount." (Anonymous witness, A/AC.145/RT.560)

326. Accounts of the imposition of the economic sanctions can be found in documents A/AC.145/RT.559 (Mr. Hassan Odeh Ahmad Odeh); A/AC.145/RT.560 (two anonymous witnesses); and A/AC.145/RT.560/Add.1 (Mr. Mohammad Melhem).

(v) Other forms of collective punishment

Oral evidence

327. Some witnesses referred to the issuing of "green ID cards" or magnetic cards to some categories of civilians and to the restrictions and difficulties it involved:

"Any person who is arrested or has been detained is given a green ID card, which means that the carrier of this card is not allowed to go within the Green Line stretching from Kalkilya. He is not allowed to pass and enter Jerusalem. If the holder of a green card wants to go to Ramallah, he is taken out of his car and beaten. A green card holder is not allowed to work or seek employment, particularly within the Green Line. He is not allowed to get a work permit either. For there is a new system now, a system of work permits. The workers are having great problems because they have to obtain this work permit. The permit is not given to any person who has been detained before, or who is related to a martyr, or to a person being detained. A person who has been detained is not allowed to have a driving licence, or a building licence. So he is subject to many, many restrictions, particularly at the present time." (Anonymous witness, A/AC.145/RT.560)

"We live from the land and my children work. ... One of the boys is a carpenter. ... He had a shop in the village, but the Israelis closed

the shop. The second son was at school, training as a mechanic. He was not successful in getting some work. He has a green ID card, the one given to ex-prisoners, and he is not allowed to enter Jerusalem. He is not allowed to work in the village. The green card causes a lot of problems." (Anonymous witness, A/AC.145/RT.560)

"The magnetic card is given by the Security Service to the workers, who must have it when they go into Israel. It has to be put into a machine and once in it reveals all information about the holder of the card. The green card was in use before the magnetic card, but still is now. It practically means house arrest and is given to any Palestinian who has been in jail, whatever the duration of detention. The holder not only cannot work, but he cannot leave his town or village. For instance, if it is given to somebody from Gaza Town, this person would not be allowed to go to Jabalia camp, five kilometres away. Many times during the intifadah, the civilian and military identification of people has been changed. Many Palestinians are wanted and afraid to be caught, as they wouldn't appear before a real court. So they go into hiding. To discover them, mobile check points with small computers are being used. But this is not enough for the Israelis. They want to know the people from the colour of the ID card. For instance, if the identification colour was yellow before, now if the identification colour is red, it means that the one who does not have a red identification card did not go to change his card, so there is a reason why he did not, so he was hiding. There is another reason for changing the cards, it brings money, because when you change your card, you have to pay money. Also it is a way for the military authorities to control the payment of taxes. You cannot get a new identification card without proving that all taxes are paid. You have to produce all kinds of papers from the tax office, the Security Services, from your job, your electricity bills and your water bills, your driving licence, etc." (A/AC.145/RT.571, Mr. Jamal Zaqut)

328. Mr. Mahfouz Jaber mentioned in his testimony a new practice implemented in the Jerusalem area whereby houses are confiscated after they are closed:

"A settler was killed in the district of Al-Wad. On the same day, a group of settlers seized the uninhabited house of the family of Al-Tarhi, saying that they had an order from the court proving that the house belonged to them. This is a new practice on the part of the Israelis." (A/AC.145/RT.563)

329. Testimonies referring to such other forms of collective punishment may be found in documents A/AC.145/RT.560 (three anonymous witnesses); A/AC.145/RT.563 (Mr. Mahfouz Jaber); A/AC.145/RT.565 (an anonymous witness); A/AC.145/RT.570/Add.1 (an anonymous witness); and A/AC.145/RT.571 (Mr. Jamal Zaqut).

(c) Expulsions

Oral evidence

330. The Special Committee heard several statements on the practice of expulsing Palestinians from the occupied territories.

331. In the course of his testimony, Mr. Radwan Ahmed Mohammad Ziadeh, a deported trade unionist, referred in that regard to the proceedings and difficult physical and psychological conditions of the actual expulsion process:

> "On 7 July 1988, Amram Mitzna, the Military Commander of the central area in the West Bank and Gaza, issued the order to deport me and I was transferred to the Jenin prison in Nablus. We applied what the Israeli law allows, as far as legal action is concerned. It started with a military committee and went up to the highest court in Israel. Unfortunately, all the courts admitted and recognized the deportation. For a whole year, from 7 July 1988 until 29 June 1989, we were fighting this deportation order - on all fronts. First, as far as the legal Israeli measures were concerned, and then on the front of human and international organizations. We appealed to anyone in order to put an end to this deportation order, because deportation is almost like death. One feels like a fish out of water. On 29 June 1989, we were sent in an Israeli helicopter to South Lebanon. There were seven other deportees, in all four from Gaza and four from the West Bank. In the southern part of Lebanon - which is called the Lahd area, because it belongs to the Lahd army, the army which is in collusion with the Israeli army - the soldiers threatened to kill us, saying that 'if any one of you thinks of returning, we shall kill him, Israel has carried you for so long, but we have no intention of carrying you any time'." (A/AC.145/RT.559)

332. An anonymous witness mentioned in his testimony the fact that neither the intended deportees nor their lawyers were given the opportunity to see the charges leading to the expulsion:

> "In cases of expulsion or deportation, the person is normally arrested and detained, the expulsion order is issued. The person is allowed to submit his protest to the advisory committee. This committee is composed of three members and is appointed by the Governor of the region. Under the pretext of security considerations, they listen to the evidence in camera, confidentially, and the lawyer is not admitted to listen to them. The Israeli security people present the case before the advisory committee." (A/AC.145/RT.569/Add.1)

333. Mr. Hassan Odeh Ahmad Odeh recalled the circumstances of his expulsion from the occupied territories, on the grounds that he had exceeded the period of his visiting permit:

"I went home with permission to visit my family. I went on 9 April 1990 on the basis of a permit that my wife had got for me. I stayed there. I did not intend to go back, because my wife, my children, my work are there. I am an old man and I need to live with my family. But they came and took me away from the house, they imprisoned me because they said that I had exceeded the permission granted to me. That is why they expelled me. I was in prison for four days, from Monday until Thursday. They brought me to the bridge and watched me until I reached Jordan. I tried to see the commander and talked to him. I asked him why I was being expelled, saying that my wife, my children, my life were here. I told him that the Jews come from Russia, and the Falashas from Ethiopia, and I, who belong to this land, am expelled. 'How can you expel me?' I said to the commander. The commander told me that 'This is high policy and I can't speak about that.' And they expelled me. I have seven children. My mother is 90 years old, she lives there, she has an ID, she is very sick and needs attention. But nevertheless, they sent me out." (A/AC.145/RT.559)

334. Testimonies referring to the problem of expulsions from the occupied territories may be found in documents A/AC.145/RT.559 (Mr. Radwan Ahmed Mohammad Ziadeh); A/AC.145/RT.560/Add.1 (Mr. Mohammad Melhem); A/AC.145/RT.566 (Mr. Abdel Jawad Saleh); A/AC.145/RT.569/Add.1 (an anonymous witness); and A/AC.145/RT.571 (Mr. Jamal Zaqut).

Written information*

335. On 3 April 1991, the advisory committee appointed by the Southern Region Commander to hear the appeal of four Fatah activists from the Gaza Strip against their expulsion orders finished its deliberations and recommended to the Commander, Maj.-Gen. Matan Vilna'i, to deport the four. On 7 April 1991, the four petitioned the High Court of Justice asking that the expulsion orders be rescinded or, alternatively, that the High Court order the IDF authorities in the Gaza Strip to inform the four about the place to which they would be deported and the means of livelihood they, and their families behind, would have at their disposal. (Ha'aretz, Jerusalem Post, 4 and 8 April 1991)

336. On 23 April 1991, the High Court of Justice denied a request by lawyers for the four Gaza Fatah activists who were ordered deported that they be allowed to examine the confidential material the GSS presented to the military court that ordered the expulsions. (Jerusalem Post, 24 April 1991)

* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 199 and 200 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 216 to 219 of document A/46/282.

337. On 12 May 1991, the High Court of Justice upheld the orders of expulsion against four Fatah activists in the Gaza Strip issued on 24 March 1991. The four were Jamal Abu Habel (33), Muin Muhammad Muslam (31), Hisham Dahalan (31) and Jamal Abed Abu Jadyan (33). The Court ordered a 48-hour delay in execution of the order to enable the four to choose which of the neighbouring countries they would prefer to be sent to, and to enable their lawyers to ask for another hearing before a five-justice bench. On 14 May 1991, Advocates Leah Tsemel and Linda Brayer submitted a request for a further hearing. On 18 May 1991, the four were expelled to Lebanon, after the High Court of Justice rejected their petition against their deportation. (Ha'aretz, Jerusalem Post, 13, 15 and 20 May 1991; Al-Fajr, 27 May 1991)

338. On 15 August 1991, the human rights organization Betzelem said in a press conference that at least 20 women married to Palestinians had recently been ordered to leave the West Bank with their children, despite a declared policy of the State Attorney's office that non-resident wives and children of West Bank residents would not be deported. According to Betzelem, most of the women affected were from the Tulkarm and Ramallah regions. At least three of the women had already left the West Bank. The Defence Ministry responded by issuing the following statement:

> "If there are irregularities in the procedures, they will be immediately investigated in order to ensure instructions are carried out. Likewise, additional instructions have been given to ensure that such irregularities do not occur".

The statement explained that the instructions it referred to were those issued to the Civil Administration and the Ministry of Justice, in accordance with the declaration issued by the High Court of Justice. (Ha'aretz, Jerusalem Post, 16 August 1991)

(d) Economic and social situation

Oral evidence

339. A number of witnesses referred to the deterioration of the living conditions of the civilian population, in particular in the recent period. An anonymous witness stated in this connection:

> "The conditions of daily life in our occupied territories have deteriorated steadily since the beginning of the intifadah. I have been an eyewitness living under these conditions and I have seen how the shops were closed - sometimes even in the early hours of the morning, and not just at 10 o'clock as is the case now. The reason for this was that the occupation authorities attacked the main streets constantly. Regarding provisions, we have the custom of keeping provisions at home. ... But during the period of the intifadah, and because of the cases of poverty that have arisen, some UNRWA committees, as well as some committees belonging to national organizations, have been obliged to set up special committees concerned with provisions and to establish stores

to keep stock and be able to distribute food to the people regularly. In spite of all this, we have suffered from the shortage of supplies, specially during the periods in which curfews were imposed." (A/AC.145/RT.559/Add.1)

340. Several witnesses referred to the economic losses resulting from the Gulf war:

"There were many losses, estimated at hundreds of millions of dollars annually. Their effect was extremely dangerous, in addition to the fact that during this time Israel destroyed all the economic capacity and the work potential in the occupied territories by imposing prolonged curfews and also by preventing the Palestinian workers from working in Israel, as well as in some places, by preventing the people from moving from one part of the occupied territories to the other. The farmers were prohibited from selling their produce from one area to another. All of this was carried out in order to destroy the economy and the agriculture of Palestine." (Mr. Abdel Jawad Saleh, A/AC.145/RT.566)

"From the first day of the Gulf war, the whole Gaza Strip was an isolated place and about 150,000 Palestinian workers were prevented from going to their place of work for more than 45 days. If you know the economical situation of these workers, which is such that, if they do not work today, they can't eat tomorrow, you can imagine what their economic and social situation was during those 45 days of curfew. ...

"In Gaza only, about 70,000 workers, if not more, have no work since the beginning of the Gulf war, some of them even since the beginning of the magnetic card policy.

"Since the average number of persons in a family would be about five, it means that around 350,000 persons are without any resources for life and this now for a period of four or five months as a minimum, with the exception of some of them who are refugees and receive some help from UNRWA. It is easy to imagine the impact of this policy in the economic field, in the social field and also in the health field." (Mr. Jamal Zaqut, A/AC.145/RT.571)

341. Reference was also made to the deterioration of the health conditions:

"The health conditions in the occupied territories are extremely bad. They were bad even before the intifadah and they have become worse under the conditions of the intifadah. As I noted while visiting the wounded people at Al-Ittihad hospital in Nablus, there was not a single vacant place - so much so that the women about to give birth to a child had to leave immediately after the delivery, because there were not enough beds. In addition, many wounded people were unable to go to hospital because the occupation forces attacked the hospitals constantly, searching for people. So, we were obliged to open temporary field clinics. Even these ones, when discovered by the occupation forces,

would be attacked and confiscated. We also have a problem of shortage of medical supplies and drugs, because the orders for supply are given by the occupation authorities. There is also a high mortality rate among the children and youth. Many cases of death could have been avoided, had we had enough medical supplies. Also and unfortunately, we had many cases of wounded people who could not be treated in our clinics, not to mention the enormous sums of money that are required from the patients if they go to the government hospitals." (Anonymous witness, A/AC.145/RT.559/Add.1)

342. Dr. Nasri Khoury stated in this connection:

"At the time of the occupation, there were in the West Bank 12 hospitals functioning and 3 were in the process of being built. Since that time, out of this total of 15, 6 have actually closed, so that 9 hospitals are still existing. This has resulted in an actual decrease of beds in those hospitals, from 2,220 in 1967 to 1,803 in 1985, which is a decrease of 417 beds, whereas the population has increased by roughly 500,000.

"The reasons for closures of hospitals are more than one. There is under-funding for the hospitals. ...

"Hospitals have closed down, ... for instance, a hospital that was being built in the Sheikh Jalah region (which is close to Jerusalem) was transformed by the Israeli authorities into a central police station. Another one in the Nablus region was transformed into a prison, so that these hospitals under construction were ultimately used for other purposes. The hospitals that were existent had their budget slashed significantly over the course of the occupation. ...

"Furthermore the ability to receive equipment was always hampered by Israeli government bureaucracy, such as taxations, delays in granting licences, etc. ... This resulted in the actual services in the hospitals deteriorating and in some instances to the point that the medical facilities were deemed by the Israeli authorities as being unfit, unsafe, like for example the Hospice Hospital in Jerusalem, which was forcibly closed down, as it was deemed to be unhealthy. True enough, it was unhealthy, but the reason for it being unhealthy was the long process of under-funding, etc. ...

"The general situation throughout the occupation has made it difficult for doctors for instance to return and practise. This means that there is a deficiency of a number of specialties. ... Altogether, the medical situation in 1987, just before the intifadah started, was so poor and in fact worse off than it had been in 1967, not taking into account 20 years of medical and social development that should have taken place in a country or geographic entity.

"Unquestionably, the medical set-up was not prepared to receive the very large number of people injured as a result of Israeli army practices or Israeli army injuries caused among the civilian population, which essentially are war injuries. This has meant that those injured by the Israeli army have not received adequate or appropriate medical treatment and it has caused them to suffer a number of complications which in a proper medical setting they would not have suffered. This includes all the medical services that are to be delivered. For example, in the absence of a qualified anaesthetist, the patient might die from an anaesthetic death. In the absence of a radiologist, a poor diagnosis may result in inappropriate treatment. In the absence of medicines and medical facilities, a wound could get infected and cause all sorts of complications in the long run." (A/AC.145/RT.566)

343. An anonymous physician also referred to the lack of proper medical care in the occupied territories:

"The main problem is that the people in the occupied territories are usually not allowed to get treatment inside Israel. At the same time, they are prevented from developing their own medical services as we would like them to. This means that there are two different standards of medical care, one for Israel and the other one for the occupied territories. I have seen myself in the occupied territories cases that needed much more treatment which was not available and we would have liked them to be treated inside Israel. With a few exceptions, this was quite impossible, because the insurance that people have in the occupied territories does not cover treatment inside Israel. Every case needs a special permit, which has to go, not through medical people, but through army administrators and they have to decide which case will be granted treatment inside Israel and which one will not. For example, we are now trying to arrange a heart operation for an infant, one and a half years old, who needs an operation that cannot be done in the hospitals of the occupied territories. So far, we have not been able to get the financial coverage for hospitalization in Israel and for the operation."

344. The same witness referred to the negative effect of prolonged curfews on the health situation during the Gulf war:

"During the war, the prolonged curfew lasted for one month and a half. During that time, people were prevented from going directly to hospital. Doctors were given permission to go during curfew in a very limited way. So, we appealed to the High Court of Appeal to arrange for doctors to get permits to move during curfews. We even won this case, but the winning occurred after the war was over, so there was no point any more." (A/AC.145/RT.573)

345. A number of witnesses mentioned the denial of the Arab workers' social rights and the discrimination they were subjected to as compared to Israeli workers:

"The Palestinian labourers do not receive the thirteenth month, they do not receive sick leave, or annual leave, or cost of living, or social security, or medical insurance.

"I remember an incident which concerned a Palestinian worker in the occupied territories. I am talking of a worker who was working in a quarry, where bulldozers are used for breaking large stones and rocks. Each one of these rocks can weigh up to 20 tons. One day, one such rock fell on a worker in the quarry, and he was literally flattened down on the ground. And since the law is no law, there was no insurance for him." (Mr. Radwan Ahmed Mohammad Ziadeh, A/AC.145/RT.539)

"The Israeli workers had guaranteed social rights, not the Arab workers. The Israelis benefited from sick leave, annual leave. They used to work eight hours only, with a break of half an hour for lunch. But we worked about 9 or 10 hours. Usually, we were given the harder jobs and they were given the more comfortable work, like sitting in offices. ...

"So far, I have not heard of a single Arab worker who was able to get a pension after retirement. But the Jew gets his pension, as soon as he reaches the age of retirement." (Anonymous witness, A/AC.145/RT.570/Add.1)

"The worker who used to work in Israel and earn for instance 50 shekels a day would see written on his cheque an amount of 20 shekels only. So, when we raise a complaint, they would take into account not the amount of 50 shekels, but the amount written on the cheque. We have noticed also that workers who want to obtain their rights, for instance, if they want to get a work permit rapidly instead of waiting for 10 or 12 days, have to pay bribes of up to 1,000 shekels (almost 300 Jordanian dinars). ...

"The Arab worker gets a wage of 50 to 60 shekels a day, while the Ethiopian worker will be paid double this amount, that is 120. So, the Ethiopian worker gets a higher salary, but still the Jews would prefer to employ him rather than employ the Arab worker." (Anonymous witness, A/AC.145/RT.560)

346. Mr. Mohammed Melhem, member of the Executive Committee of the Palestine National Council, referred in his statement to the severe water and power shortage in the occupied territories:

"Regarding the institutions, a village council in the south of the West Bank for instance had been telling me that for the last six months the main water feed line to the village had been closed so nobody was allowed to take any water and that the Israeli water authorities would not allow them to take water unless they accept the village council appointed by the Israeli authorities. The village had an elected village council, which the Israelis dismissed, wanting to impose on the village

people certain names. The inhabitants resisted, they did not want to have collaborators to take charge of them. That is part of the problem. In the same village, I have been told, the power system had broken down, some motors were damaged. The village people had aid from outside to repair these motors or to buy new ones. The Israelis would not allow them to bring the funds from outside, in order to put pressure on them and have them connect their power system to the regional system controlled by the Israelis." (A/AC.145/RT.560/Add.1)

347. Accounts on the economic and social situation in the occupied territories may be found in documents A/AC.145/RT.559 (Mr. Radwan Ahmed Mohammad Ziadeh); A/AC.145/RT.559/Add.1 (an anonymous witness); A/AC.145/RT.560 (an anonymous witness); A/AC.145/RT.560/Add.1 (Mr. Mohammad Melhem); A/AC.145/RT.564/Add.1 (Mrs. Soad Turkoman); A/AC.145/RT.566 (Mr. Abdel Jawad Saleh; Dr. Nasri Snoury); A/AC.145/RT.569 (Mrs. Manal Achour); A/AC.145/RT.569/Add.1 (an anonymous witness); A/AC.145/RT.570/Add.1 (two anonymous witnesses); A/AC.145/RT.571 (Mr. Jamal Zaqut); and A/AC.145/RT.573 (two anonymous witnesses).

Written information

348. On 10 May 1991, it was reported that the Minister of Health, Ehud Olmert, met with the Director-General of the World Health Organization (WHO) and protested to him about a draft resolution to be considered by the World Health Assembly, which condemned Israel for its health policy in the territories. (Ha'aretz, 10 May 1991)

349. On 7 July 1991, it was reported that in the framework of measures taken in response to the decrease in the level of violence and the beginning of normalization in the major towns, it was decided by the security establishment to reduce the level of taxation in the territories. Income tax that residents of the territories have to pay to the Civil Administration will be lowered. Heads of families whose monthly salary is no more than NIS 600 ($280), or whose yearly salary is NIS 7,000 ($2,800), will be exempt from income tax. The general tendency is to lower the level of taxation in the territories to that existing in Israel. In addition to the lowering of taxes, it is intended to allow local businessmen to receive money from Saudi sources, so that they can invest in the territories without PLO mediation. (Ha'aretz, 7 July 1991)

350. On 17 July 1991, it was reported that, for the first time since 1967, an election for the Gaza Strip Chamber of Commerce would be held at the end of July. The holding of the election has been approved by the Defence Minister in the framework of the new policy of the security authorities to promote economic activity in the territories. (Ha'aretz, 17 July 1991)

351. On 31 July 1991, it was reported that elections had been held in Jericho, for the local chamber of commerce, and in Hebron, for the local Red Crescent association. Both elections were won by Fatah supporters. (Ha'aretz, 31 July 1991)

2. Measures affecting certain fundamental freedoms

(a) Freedom of movement

Oral evidence

352. Different measures restricting freedom of movement were referred to in various testimonies:

353. Mr. Mohammed Melhem referred in his statement to the restrictions resulting from limitations on freedom of movement imposed during or since the Gulf war:

> "In the last two or three months, no Arabs were allowed into old Jerusalem, or beyond the 'red line', unless they had a permit. But Jerusalem was closed even for Muslim worshippers, ... some Arabs did go into Jerusalem and passed the checkposts. By the end of their work day, they went back to the occupied territories. The same checkpost was then stricter with them, the ID cards were taken away and the people were charged fines amounting to 350 shekels per person. In other words, it was like a planned trap, because the Israelis knew that these people were not allowed in, but they let them go and then they caught them on their way back in order to fine them. ...
>
> "In recent times, there has been a wave of curfews. Curfews have been going on ever since 1967. But now they are used on a larger scale in towns and villages and for longer periods of time. And after the curfew, the populations of the villages were not allowed to leave, not even to the East Bank, or their sons were not allowed to leave the borders of their town." (A/AC.145/RT.560/Add.1)

354. An anonymous witness referred to these limitations in the following terms:

> "After the end of the Gulf war, they prevented the workers from going into Israel. The only workers who were permitted to go were those who worked regularly and were registered with the employment office. Other workers could not get in. In the beginning, they allowed only 1,000 out of 100,000 workers to go to Israel to work. About 35,000 private cars were prevented from entering Israel. They brought some buses owned by an Israeli company called Egged and obliged us to use them." (A/AC.145/RT.570/Add.1)

355. Mr. Radwan Ahmed Mohammad Ziadeh referred to difficulties faced by the civilians in the occupied territories in obtaining a driving licence:

> "Anybody in the occupied territories who asks for a driving licence must first of all have a certificate of good conduct from the Israeli intelligence, with all security justifications - and these are unending. All circumstances, the very life of the person who asks for the licence, are studied, whether he has previously been in prison, or accused of

anything, whether he has any activity, or has friends who are active, whether he has a national inclination and what kind of inclination, whether he works, whether he works within the Israeli projects, or whether he works within the borders of 1967. All these questions are taken into consideration, and even more. From the Israeli security point of view, getting a driving licence is an important factor. A driving licence means that the person has a way of communication and could reach other people or carry out actions against the Israelis. These are the obstacles before getting a driver's licence. It is not easy to get a driver's licence, it is a whole story. Not every one in the occupied territories can go outside the borders. Not every Palestinian can get employment within the Israeli projects (in other words the projects of the 1948 borders). So, if somebody has not been in prison, if he is not close to militant activity or to somebody who is close to it, he might succeed." (A/AC.145/RT.559)

356. Another anonymous witness recalled her personal experience under house arrest:

"They imposed house arrest on me for six months. ... I was asked to report every day to the administration office and sign to testify that I was present. I had to take my child with me, as he was too young and I couldn't leave him anywhere. I was not allowed to go out of Nablus, not even to the neighbouring villages." (A/AC.145/RT.559/Add.1)

357. The same witness mentioned the difficulties she encountered in order to leave the territories:

"I tried to travel abroad after my husband was deported. I tried to go to Lebanon, but I was prohibited from doing so. Since 1984, I had been prohibited from going to Jordan. I had tried to go to meetings abroad, but I was prevented, even at the airport. I applied for permission to leave more than once and it was always rejected by the security forces. Therefore I sought the help of a lawyer, without success. I went on trying. By that time, my husband had been deported over a year and a half. I asked also to appear before the High Court of Justice of Israel, because there is no law that would prevent a wife from joining her husband, but this request was also turned down. Finally, I was asked by the Supreme Court of Justice of Israel to sign a paper for the legal counsellor in Israel, to the effect that I would not be able to come back to the West Bank before three years elapsed. So, if I left, I would have to stay away for three years and under no circumstances would be allowed to go back before that. So, I hesitated a lot before accepting. Then, in view of the circumstances under which I was living, from a security as well as a social point of view, I had to leave, I was forced to leave and to come to Jordan. The paper I had signed was handed over to the officers at the bridge, so that they would block any attempt on my part to return before this three-year period." (A/AC.145/RT.559/Add.1)

358. Another anonymous witness stated in this regard:

"We have to pay 100 dinars to get the permit. We pay this sum at the Civil Administration headquarters. If they want to give it to me, they will stamp it. If not, they will refuse the application. My daughter came here for medical treatment after her injury. Each time she comes, they search her, on the way out and on the way back. They completely strip us of our clothes. They even search our hair. (A/AC.145/RT.565)

359. A witness who had come to Cairo for medical treatment mentioned specific difficulties faced by ex-detainees and by prisoners' relatives:

"I have a red card. There are no restrictions. But the people who were in prison have a restrictive card and they are not allowed to leave their sector. It is a green card. ...

"I had a great many difficulties, because my brother is in prison. So, when I applied and because every information is in the computer, they immediately told me 'No, your brother is in prison, how do you expect to leave the sector?'. As you know, the families of prisoners are punished with restrictions on their freedom of movement. It was difficult to get permission to leave. ...

"The application was rejected for a couple of months, then it was granted." (Mrs. Manal Achour, A/AC.145/RT.569)

360. Testimonies referring to the restrictions on the right to freedom of movement may be found in documents A/AC.145/RT.557/Add.1 (an anonymous witness); A/AC.145/RT.559 (Mrs. Naila Ayich); A/AC.145/RT.559/Add.1 (an anonymous witness); A/AC.145/RT.560 (an anonymous witness); A/AC.145/RT.560/Add.1 (Mr. Mohammad Melhem); A/AC.145/RT.565 (an anonymous witness); A/AC.145/RT.567 (an anonymous witness); A/AC.145/RT.569 (Mrs. Manal Achour); A/AC.145/RT.570/Add.1 (an anonymous witness); and A/AC.145/RT.571 (Mr. Jamal Zaqut).

Written information*

(b) Freedom of religion

Oral evidence

361. Mr. Abdel Jawad Saleh referred in the course of his testimony to the obstacles hindering the exercise of religious practices as a result of limitations affecting freedom of movement:

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 201 to 209 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 220 and 221 of document A/46/282.

"Recently, with curfews, with identity card regulations, they have prevented Palestinians from going to Jerusalem and pray in their most sacred religious places. ...

"It is a tradition of the Palestinians to go every Friday to Jerusalem and pray there, from all points of Palestine, but now they are not allowed to." (A/AC.145/RT.566)

Written information*

(c) Freedom of expression

Oral evidence

362. Mr. Jamal Zaqut referred in the course of his testimony to various obstacles hindering the right to freedom of expression:

"I worked as a journalist in the occupied territories and I would like to mention a few points. From 1967 until today, the Israelis did not give any permission to publish a newspaper in the occupied territories outside Jerusalem. It is permitted in East Jerusalem only, as it is considered a piece of Israel. The newspapers published in East Jerusalem have to go through military censure. The real editor of these papers is the censor, and not the Palestinian editor. It is enough to publish one photograph and the paper can be closed for a long time, as it happened with the Jerusalem at the beginning of the intifadah when it published a photograph from Reuters agency about Nuseirat camp in Gaza showing demonstrators and soldiers. It was then closed for 45 days. Many press service offices and newspapers were closed on some pretext. If they want to close, they can find a reason. It is not difficult. Al-Darb newspaper was closed in 1986, Al-Mithaq was closed in 1986 as well. ...

"Also many press service offices were closed, in East Jerusalem and in the Gaza Strip. It is easy for them, it only needs the order of any officer in the area.

"Many of the Palestinian journalists were arrested, without trial. I shall mention some names, like Salman Khoury, sentenced to 45 months, or Rabha Al-Khoury, editor at Al-Shararah, arrested and detained for 6 months.

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 210 and 211 of document A/46/65.

"I would also like to mention the Israeli policy preventing foreign journalists from getting to the places where there is a problem. There is a rule according to which any soldier can sign an order declaring any area a closed military zone. This is specially aimed against foreign journalists, because they don't want the journalists to discover what is going on in the occupied territories." (A/AC.145/RT.571)

363. Testimonies relating to the restrictions affecting the right to freedom of expression may be found in documents A/AC.145/RT.571 (Mr. Jamal Zaqut); and A/AC.145/RT.573 (an anonymous witness).

Written information*

364. On 12 April 1991, it was reported that Radwan Abu Ayash, chairman of the Arab Journalists' Association, was being released from administrative detention of five months. He had been given a six-month term, but appealed to a military board and his term was reduced by one month. (Ha'aretz, 12 April 1991)

365. On 13 May 1991, the Palestinian journalist Ziad Abu Ziad, from Eizariya near Jerusalem, was released from the Jneid prison in Nablus after six months of administrative detention. (Ha'aretz, 14 May 1991)

366. On 16 May 1991, the security forces arrested journalist Tawfik Abu-Hosa, an employee of Al-Quds, who had served four years in jail for acting as leader of the Shabibah movement in the Gaza Strip. (Ha'aretz, 17 May 1991)

(d) Freedom of association

Oral evidence

367. Mr. Radwan Ahmed Mohammad Ziadeh, a deported trade unionist, referred in the course of his testimony to limitations and difficulties hindering trade union activities in the occupied territories:

"In 1979 we presented a request for permission to set up a workers' union. We contacted the authorities about 10 times in order to get such permission, but we couldn't get it. ... We tried to contact the responsible authorities legally and otherwise for three years running, and this in spite of the fact that the West Bank is subject to Jordanian law and is not subject to Israeli law. The labour laws of Jordan say

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 212 to 217 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 222 to 226 of document A/46/282.

that if a number of workers in a particular profession (the minimum required being 21) present a request to the responsible authorities for the setting up of a syndicate and do not receive any answer after three months, they can start their unionist action. In other words, it means that the authorities have to give a legal reason for not granting the permission. This is Jordanian labour law. ...

"So, we opened the headquarters for the union on the basis of the rule of the Jordanian law and we started working. We started defending the rights of our workers, who were working in Arab projects, not Israeli projects. The labourers working in Israeli projects are subject to, are members of the Histadrut, the Israeli labour union. The result was that all the leaders of the union were arrested and imprisoned overnight." (A/AC.145/RT.559)

368. Mr. Jamal Zaqut, another deported trade unionist and journalist, stated in the same connection:

"Many Palestinian trade unionists are subject to all kinds of harassment from the Israeli army. Most of them face administrative detention, and not only once, but twice or three times. Here I speak of Gaza and the West Bank. Some of them were expelled, before and during the intifadah. Some of them were killed, and not during a demonstration. They were watched by the Israeli security and shot, like Ahmed Al-Kilani, who was a member of the executive committee of the general trade union in the West Bank. He had been arrested many times. The last time, he was arrested and shot." (A/AC.145/RT.571)

(e) Freedom of education

Oral evidence

369. Several witnesses appearing before the Special Committee described the very serious problems affecting civilians in the occupied territories in the field of education. The prolonged closure of education institutions as a result of the popular uprising was commented upon and deplored by a number of witnesses, who referred to the negative effects of such closures on academic standards:

"The schools in Nablus did not work more than two months and even that was intermittent. The curriculum of study in Israel consists of courses. Each course should have a duration of a minimum of four to five months. During the period of the uprising, as far as the schools of our children are concerned, the duration of the course was not more than two months and these two months were intermittent. During the early days of the intifadah, the schools were completely closed. The universities have been closed all through. Even now they have not been re-opened. Consequently the academic year during the period I was there did not exceed four months all in all, instead of nine months, and this also with interruptions. When the children went to school, they used to stay a

maximum of three hours, if at all. So, we depended mainly on the instruction given to them at home and you know, of course, that this is not as effective as instruction given in school. This is a problem we have had since the beginning of the intifadah. In the first year of the uprising, there was no teaching whatsoever and the schools were closed. Later on, they re-opened, but for not more than two months for each course." (Anonymous witness, A/AC.145/RT.559/Add.1)

"Since the beginning of the intifadah, you cannot say that the children have studied. This year for instance, the pupils who were supposed to sit for the secondary school certificate have not had any lessons. The pupils and the students are being persecuted, they are being provoked." (Anonymous witness, A/AC.145/RT.565)

"Now, when all six Palestinian universities have been closed for the last three years, when you know that the Israelis do not pay anything for our higher education, when you know that the schools, preparatory, elementary and secondary, are closed as well, you can imagine the psychological worry of fathers and mothers about their sons being illiterate. A few months ago, we received a report prepared by some researchers in the occupied territories. It is a survey on the fourth and sixth grades. The report indicates that in the fourth grade none of the students examined was able to write his name properly and none of them was able to solve a very simple mathematical equation (half one over two minus one over four). In the sixth grade, the students were unable to comprehend a paragraph in Arabic, and could not answer the questions about this text after they had been given time to understand it. This is very worrying. The education standard is the lowest ever since 1967." (Mr. Mohammed Melhem, A/AC.145/RT.560/Add.1)

"The schools and institutes were closed as of the start of the intifadah. The universities, with about 20,000 students, boys and girls, have been closed. The schools have been closed for long periods, as a matter of fact for more than half the time, especially in the West Bank. During the school year 1989/90, the average number of school days amounted to 140. A large number of schools were closed for longer periods. In five schools in Tulkarm, for instance, the school days amounted to 41 only for the whole school year. In Gaza, for instance, the Beni Suhaila preparatory school was closed for 135 days, the new Gaza preparatory school for boys was closed for 117 days and the girls' school for 114 days.

"In fact, when the occupation authorities announce the re-opening of a school, they open it for a day or two and in the first four months of the last school year, 29 per cent of the schools belonging to UNRWA in the Gaza Strip were closed. ...

"In many schools, departments such as laboratories, libraries, sports rooms have been closed and turned into classrooms, because of the shortage of space. Seventy-three per cent of the government schools in

the occupied territories do not have such essential utilities anyway. At the beginning of the Gulf war, all schools in the West Bank and Gaza were closed as a result of the curfew." (Mr. Osama Sayeh, A/AC.145/RT.563)

370. Reference was also made to the harassment of students and teachers and to the lack of adequate equipment and teaching materials:

"The pupils and the students are being persecuted, they are being provoked. I told my children to stay at home, because every time they go out, there are incidents taking place. The young people are having a difficult time. There is no education. The soldiers go to the schools, they provoke the pupils, they throw tear-gas, they enter the camp in order to provoke our young people. This happens every day. If they meet with a young man, they hit him. They kick the kids in the street. They kicked one of my children and he is now lying at home. He is six years old. A soldier kicked him for no reason." (Anonymous witness, A/AC.145/RT.565)

"The harassment of the teachers took the form of ordering them to clean the streets for instance, to rub off the national slogans written on walls. The Israeli troops forced the teachers to do that in front of the students. Psychologically, it prepares the next step, that the students are going to be treated the same way and required to do the same things. ...

"The schools to have shortages in equipment are the ones supplied by the authorities. These plainly have nothing. They are very primitive, they are backward schools, they lack libraries, they lack books, they have no labs. The parents of the students are forced to buy the school books. And if the authorities do provide some equipment, it is not sufficient for all." (Anonymous witness, A/AC.145/RT.569/Add.1)

371. The obstacles hindering efforts to provide children and students with alternative popular means of education were also mentioned:

"The basic problem facing the action committee was that of providing the necessary places for education and making amends for the fact that the schools were closed. It was strongly objected to by the occupation authorities. However we tried to carry out this sort of education in houses instead of public places. And then even the children were exposed to ill-treatment whenever the occupation authorities saw them gathering in a specific place to receive their lessons. The children were also exposed to beating, tear-gas and even bullets." (Anonymous witness, A/AC.145/RT.559/Add.1)

"Many Palestinian educators have initiated a new method, a new system of education, which could develop into a new theory of education. But instead of permitting these people to develop their own culture, their own particular cultural activities, the Israelis have issued military orders to prohibit an educator or non-educator from being

involved in this kind of activity, be it formulating new systems of education or even simply teaching students. Many times, when teachers were teaching small groups of pupils in houses, these were attacked, the teachers detained and students dispersed." (Mr. Abdel Jawad Saleh, A/AC.145/RT.566)

372. The motives behind and effects of the denial of access to proper education and to cultural rights were also mentioned in some testimonies:

"Of course, human beings do not inherit culture and education. They have to learn. That is why the Israelis have closed schools and universities, in order to deprive the Palestinians of any social development, in order to destroy the basic traits of the Palestinian personality. ...

"Another feature of this cultural genocide is the destruction of the structures of the educational system and of culture. Culture is how to dominate your environment, how to harness it for the benefit of the individual. One of the means of doing it is by providing young people with vocational education. This is denied to the Palestinians, as for instance no agricultural section is being allowed at university, although agriculture constitutes the main sector in the Palestinian economy, and also as there are only very few vocational schools open and run in the occupied territories." (Mr. Abdel Jawad Saleh, A/AC.145/RT.566)

"Children drop out of preparatory schools, they drop out of secondary schools, to the extent that only a small number eventually reach either one of the certificates and an even smaller number go on to university education.

"Another result of students dropping out from school is that they start looking for work, anything and everything. ...

"This is not a short-term policy. This is a strategic planning which is being carried out by the Israeli State. The object is to bring the Palestinian people to the brink. The Palestinians do not have many economic capacities. They have limited resources and they depend to a very large extent on their education as a weapon, so that they can have jobs, go abroad and improve in their profession. Depriving them of this possibility is depriving them of one of their main weapons for life, of the basic mainstay of the Palestinian society." (Anonymous witness, A/AC.145/RT.569/Add.1)

373. Accounts on the restrictions to the right to freedom of education may be found in documents A/AC.145/RT.557/Add.1 (an anonymous witness); A/AC.145/RT.559/Add.1 (an anonymous witness); A/AC.145/RT.560/Add.1 (Mr. Mohammad Melhem); A/AC.145/RT.563 (Mr. Osama Sayeh); A/AC.145/RT.565 (two anonymous witnesses); A/AC.145/RT.566 (Mr. Abdel Jawad Saleh); A/AC.145/RT.569/Add.1 (an anonymous witness); and A/AC.145/RT.570/Add.1 (an anonymous witness).

Written information*

374. On 29 April 1991, the Defence Ministry announced its decision to reopen the Islamic University in Hebron, which had been closed for 10 months. Security sources said the closure orders affecting the Al-Najah and Beir Zeit Universities would, for the time being, be extended. (Ha'aretz, Jerusalem Post, 30 April 1991; Al-Fajr, 6 May 1991)

375. On 21 August 1991, the Coordinator of Activities Maj.-Gen. Danny Rothschild, had talks with the chairman of the Gaza Islamic College and its trustees. He said he would "weigh positively" their request to reopen. On 22 August 1991, it was reported that Defence Minister Arens had authorized the reopening of Al-Najah University in Nablus, as at 1 October 1990. The University had been closed since the beginning of the uprising. On 1 September 1991, it was reported that the Bir Zeit University was ordered closed for another three months. Bir Zeit is the only university in the territories to remain closed. (Ha'aretz, Jerusalem Post, 22 August 1991; Ha'aretz, 1 September 1991)

3. Information on settlers' activities affecting the civilian population

Oral evidence

376. Mr. Hassan Odeh Ahmad Odeh referred in the course of his testimony to the tension and fear caused by the presence of settlers close to his village:

> "Talking about my village, the good land is taken by the Jews. They use it, they cultivate it, even the land that they don't take. I have a piece of land near the settlement close to our village. I do not go to that land, because I am afraid that they might harm me, hit me, or shoot me. I cannot send my wife or my children to go there, because I am scared." (A/AC.145/RT.559)

377. An anonymous witness referred to acts of aggression perpetrated by settlers in his village:

> "They pass through the village. Every two or three days, the Jews come. They try to remove the slogans we write, they fire tear-gas and break everything on their way. They harass the young people. The young people are facing many problems, so are the women. They oblige the women

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 218 to 223 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 228 to 230 of document A/46/282.

to come out of the houses and remove the slogans from the walls. They impose fines on the people writing slogans, who don't care and go on writing slogans. ...

"About seven months ago, a school was attacked, the settlers had come and wanted to beat the children. So the school director submitted a complaint to the Civilian Administration and Jewish guards were posted around the school. They kept controlling the school for five or six months and then went away." (A/AC.145/RT.560)

Written information*

378. On 21 April 1991, it was reported that eight villagers from Karyut, near Nablus, had petitioned the High Court of Justice claiming that settlers from the nearby settlement of Eli had forced their way into their lands and started, with the use of a bulldozer, uprooting hundreds of trees and vines. (Ha'aretz, 22 April 1991)

379. On 12 May 1991, a serious incident occurred at A-Ram junction, north of Jerusalem, when several settlers from Shiloh opened fire at an Arab minibus, injuring Abdullah Amin Farahat, aged 4, and Abed Ataf Abu Sherkeh, aged 5. The settlers later claimed that passengers in the minibus had thrown cans at their bus, and that it had tried to run them off the road. Police arrested three settlers and confiscated weapons from seven others. One of the injured boys had to be hospitalized. (Ha'aretz, Jerusalem Post, 13 May 1991; Al-Fajr, 20 May 1991)

380. On 8 June 1991, a dispute over grazing rights between a settler from Susiya, in southern Mount Hebron area, and an Arab shepherd from Yatta, turned into a shooting incident in which the settler, Baruch Yelin (27), opened fire, killing some 20 sheep and hitting the shepherd, Muhammad Nawaj'a, who later died of his wounds. The settler reportedly told the shepherd to take his sheep away from the grazing area that is within the settlement's area; the shepherd refused and the settler shot and killed some of the sheep. The shepherd alerted family members and local youths who beat the settler with sticks. The settler then opened fire, hitting the shepherd. On 9 June 1991, the settler was remanded for 12 days. On 20 June 1991, he was remanded for a further eight days. (Ha'aretz, Jerusalem Post, 9, 10 and 21 June 1991)

381. On 15 June 1991, Rabbi Moshe Levinger fired shots in the air in the Hebron market place, apparently after stones were thrown at him. He also kicked a local resident and overturned two vegetable carts. Soldiers who were

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 224 to 226 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 231 and 232 of document A/46/282.

present warned him to stop, but he went on. On 17 June 1991, military sources reported that the soldiers had reported to the Hebron police about Levinger's behaviour. The Hebron police announced it would summon Levinger shortly for questioning on the basis of complaints from two residents and several soldiers. (Ha'aretz, 18 June 1991)

382. On 27 June 1991, a group of Israelis, believed to be settlers from Shavei Shomron, Homesh or Yitzhar, rampaged through the village of Beit Umrin, north of Nablus, destroying property, smashing windows and cars and setting fire to a cornfield. Troops called by villagers rushed to the scene and arrested six Israelis after a chase. According to reports the settlers fired shots, shot at solar heaters, took a TV set from a house and smashed it on the ground, broke furniture in 15 houses, painted Stars of David and Hebrew slogans and beat two women. (Jerusalem Post, 28 June 1991)

D. Treatment of detainees

Oral evidence

383. The Special Committee heard extensive evidence from several witnesses about the treatment of detainees and harsh conditions of detention. Most witnesses referred to their personal experience covering in some cases long and repeated periods of detention and concerning the difficulties faced in several detention centres, in particular since the start of the popular uprising and the unprecedented increase in the number of detainees resulting from it. Most testimonies denounced the various forms of ill-treatment, such as physical torture and violence, isolation in solitary confinement, psychological humiliation and intimidation, sexual harassment and measures of punishment. It was stressed that the worst conditions were usually faced during interrogation. The overcrowding of cells, the use of tents lacking all necessary facilities, the lack of proper sanitary equipment and medical care, adequate food and clothing, the denial or restrictions of the right of access to lawyers, to family and Red Cross visits, and to cultural material were also cited among issues frequently referred to by ex-prisoners. Reference was also made to specific problems faced by minors and women prisoners, as well as to the harassment and humiliations that relatives of detainees were faced with. Particularly harsh conditions endured in some specific detention camps such as Ansar 3 (Ketziot) in the Negev desert inside Israel itself were also described in some testimonies. It was mentioned that several hunger strikes aimed at ameliorating the treatment of detainees had taken place.

384. Hereunder are a few relevant excerpts from these testimonies:

> "I want to say what happened to me during those two days of detention. They tied my body with wire. They took my broken arm and put it on a big stone, fixed it and hit it with stones. Because of the bruises, it had to be operated again later on. I used to see with my eyes, now I cannot see well. I have some medical reports about that. My leg was broken and it had to be operated also. They treated me very badly." (Anonymous witness, A/AC.145/RT.562)

> "In the prison, they acted very inhumanly with the young men who were there. At one time, it was raining, the tent flaps were lifted, the whole tent was flooded with water and the young men had to sleep inside. They would also wake them up in the middle of the night, at one or two in the morning, make them stand out in the rain and insult them. They would also interrogate the prisoners at night, their hands tied behind their backs, their eyes bound. They used to beat them and insult them deeply." (Mr. Hassan Odeh Ahmad Odeh, A/AC.145/RT.559)

> "I remember a simple incident, which happened in front of 1,150 prisoners, in July 1988. The temperature was close to 50 degrees and a young man had gone to the bathroom, to the toilet, and was returning to his tent, as it was impossible to stay out in such heat. The top and second buttons of his shirt were undone. This was not allowed and the

guard called him and asked him why he had undone the buttons of his shirt. The punishment he received was to stand in the sun for two hours. Before this time elapsed, he had suffered a sunstroke and was sent to the doctor." (Mr. Radwan Ahmed Mohammed Ziadeh, A/AC.145/RT.559)

"When I went to visit him [the witness's son] in prison, I found out that for three months he had not been able to have a bath, or wash his clothes. He did not shave. He couldn't do anything. His clothes were all torn. His hair was long and full of lice. I went to the Red Cross and informed them about my son, saying that he was a young boy of 15 and had been interrogated for three months. Somebody of the Red Cross went to visit him in prison. This lady told me that he needed new clothes. So I bought some underwear for him, some sportswear, slippers, soap and toothpaste, and sent it all to him through the Red Cross. Later on, they transported him to Megiddo prison, within the Green Line. We went to visit him twice. After the war, I visited him another time. Then visits were completely banned and I was not allowed to send him any clothes, so the conditions became similar to those in the Negev prison, where no visits are allowed. This Negev prison is known all over the world. Normally, prisoners are allowed to receive visits from time to time. But there they were not allowed to receive any visits or any clothes from their families. And they are young." (Anonymous witness, A/AC.145/RT.565)

"I was in a tent. The tent had boards of wood, very narrow, where one had to sleep, two persons on each board. No sheets, we had one blanket underneath and one blanket on top. It was humid, there was water under the boards. Later on, the level of the water rose over the boards. Also many of the tents flew away." (Anonymous witness, A/AC.145/RT.562)

"Ansar 3 prison is a grave for the living, if I can use this expression. It is a tomb. For instance food, the quantity is not sufficient, the quality is non-existent, we get the same breakfast, the same lunch, the same dinner for ever practically. Once, six or seven kilos of tomatoes were distributed on 1,150 prisoners, who had not tasted tomatoes for a long time. As a matter of fact, they did not eat them. It wasn't worth eating, they put them there just to look at. The lawyers could visit the prisoners once a month, for 10 minutes only, and they were insulted as well, like the prisoners. Family visits were denied. Since the establishment of Ansar 3, no one received a family visit, because the military rule stipulated that the family of any prisoner wishing to visit him should have prior permission. It was not possible to get permission unless one would refer to the Civil Administration, pay the taxes, renew the ID card, the driver's licence, pay the water, the electricity, etc. ..." (Mr. Radwen Ahmed Mohammed Ziadeh, A/AC.145/RT.559)

"We were given very little to eat, half a green pepper, two olives, one spoonful of jam and a small slice of bread. They gave one gallon of water for 30 persons per day, for all purposes, to drink, clean yourself, clean the plates, everything." (Anonymous witness, A/AC.145/RT.562)

"They were trying to treat the children in a way to handicap them for their future, when they become young men. They used to frighten and terrorize them. They concentrate on the younger ones, because they are the generation that will be marred by the occupation. It is the generation they are frightened of, so they try to demoralize them, to beat out the resistance from us. They did not treat me as a child, they treated me like the others. They used to beat me as they were beating the adults. For instance, I would be sitting and somebody would come from behind and hit me hard. I used to scream and live with fright throughout my imprisonment." (Anonymous witness, A/AC.145/RT.557/Add.1)

"In prison, I had to go through enormous sufferings, together with my son, as he was the only child there. There were no facilities at all for a child. The weather was very cold at the time. Clothes were not enough, food was not enough. Even psychologically, the conditions were not good for a child to be in that prison, to stay in a very limited place, in a small cell of 2 by 1.5 metres where he could not play, where the smell was bad, without a bathroom. As a result of such deplorable conditions, my child fell sick three times. I had to take him to hospital. Again, they covered my eyes and tied my hands. I suffered a lot because I saw how bad the situation was for my baby. ...

"I spent one week or 10 days in prison without my son. When they brought him to me through the partition and he saw me, he started smiling. I asked the prison guard to permit me to carry him, they refused to let me hold him or kiss him, even through the partition. My son was laughing and crying at the same time. There were many visitors at that time and seeing this, all the people started crying and it all turned like a tragedy." (Mrs. Naila Ayich, A/AC.145/RT.559)

"Concerning the cultural aspect, for many years we were deprived of any access to information or culture, although we had a lot of leisure and time. We could at least have educated ourselves, as long as we had nothing else to do. But we were prohibited from reading, even religious books in some cases. After a long struggle, we were able to obtain the right to get some books. Until now, however, certain books are prohibited." (Mr. Mahmud Ibrahim Shawahin, A/AC.145/RT.557)

"When we go to visit the detainees in prison, we are subjected to a search. It happened to me, I had to undergo this search. For the Israelis this process does not involve any respect for human rights whatsoever. When a woman is subjected to such a search, they make her take off all her clothes. This happened to me personally. I had to go to the search room. The woman guard looked at my clothes and could see that I was not carrying anything, but she insisted that I had to take off all my clothes, if I wanted to be allowed to see my husband. Only then

after the search, was I allowed to go and see him. The Israelis treat the visitors very badly. They shout at them." (Anonymous witness, A/AC.145/RT.560)

"I have met an individual who came from Ansar 3. This place is in the Negev, with a very high temperature in the daytime, and a very low temperature at night. These wide fluctuations of temperature cause a large number of rheumatic diseases. It is very common among these people to find rheumatic diseases, back pains, joint pains, etc. ... The medical conditions in those camps are very poor, I am told. When the prisoners seek medical attention, they do not get properly examined and when they do get examined, they predominantly receive analgesics, pain-killers, and not necessarily the proper medication. Of course, pain-killers make you feel better. It gets you over the discomfort of the pain, but does not necessarily treat the cause of the suffering." (Dr. Nasri Khoury, A/AC.145/RT.566)

385. Testimonies relating to the treatment of detainees may be found in documents A/AC.145/RT.557 (Mr. Hassan Kawasmy; Mr. Abdel Rahman Kassem; Mr. Mahmud Ibrahim Shawahin); A/AC.145/RT.557/Add.1 (an anonymous witness); A/AC.145/RT.559 (Mr.Radwan Ahmed Mohammad Ziadeh; Mr. Hassan Odeh Ahmad Odeh; Mrs. Naila Ayich); A/AC.145/RT.560 (an anonymous witness); A/AC.145/RT.562 (an anonymous witness); A/AC.145/RT.565 (an anonymous witness); A/AC.145/RT.566 (Mr. Abdel Jawad Saleh; Dr. Nasri Khoury); A/AC.145/RT.569 (Mrs. Manal Achour); A/AC.145/RT.569/Add.1 (an anonymous witness); A/AC.145/RT.570 (Mrs. Adla Kandeel); and A/AC.145/RT.571 (Mr. Jamal Zaqut).

Written information*

386. On 1 April 1991, the Haifa District Court extended the detention of Fares Ahmed Barud (30), by 15 days, pending another hearing, with the presence of the lawyer appointed for him, Adv. Muein Dabah, on the defendant's request to be transferred to another detention place on the grounds that Jewish detainees were beating him. Barud is accused of killing an Israeli civilian, Mordekhai Roichman, from Hadera, and of attempting to kill three others. (Ha'aretz, 2 April 1991)

387. On 2 April 1991, four Arab Knesset members visited the Ketziot detention centre and heard from the detainees complaints about the insufficient quantity of food and inadequate medical treatment in the facility. The detainees complained about not being allowed to receive books, newspapers and radio and TV sets. The detainees' main complaint was about the lack of visits by their families. This was reportedly due to the families' refusal to ask for permits

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 227 to 238 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 233 to 237 of document A/46/282.

for visits from the Civil Administration and their demand that requests for such visits be submitted through the Red Cross. The visiting Knesset members, together with the detainees' committee, drew up a proposal under which the families would submit requests for visits to the Red Cross and the latter would pass the requests to the Civil Administration. The proposal was cabled to the Defence Ministry for approval. (Ha'aretz, 3 April 1991; Al-Fajr, 8 April 1991)

388. On 16 April 1991, the father of a 12-year-old boy from East Jerusalem petitioned the High Court of Justice asking it to order the police to release his son. The boy was arrested on 31 March 1991. On 11 April 1991, the father was allowed to attend a hearing on a request to extend his son's detention. The boy was crying and told the judge he had been tortured by electric shocks and cigarette burning. When the boy wanted to show the judge his alleged torture marks the judge said this was not necessary. The boy, whose detention was extended by six days, told his father that the interrogators threatened him with sexual abuse unless he confessed. No identifying details were given. (Ha'aretz, 17 April 1991)

389. On 19 April 1991, four Palestinian minors held in Hasharon prison were injured when guards used tear-gas to restore order, after some 50 inmates started smashing objects and pushing guards. The four were injured when the guards forced the inmates back to their cells and locked them up. They were treated in the prison's clinic. (Jerusalem Post, 21 April 1991)

390. On 23 April 1991, the Chairman of the Knesset Law Committee said that the committee would discuss the Betzelem report on the torture and ill-treatment of Palestinians during interrogation. The Chairman added that the Committee would also look into the research methods of the human rights group. On 12 May 1991, it was reported that the Chief of Staff Ehud Barak had appointed Gen. (res.) Rafael Vardi to investigate claims made by Betzelem, on the basis of interviews with 41 former prisoners, that Palestinian prisoners have been physically abused during interrogations in military prisons. Gen. Vardi served as head of the military police, Commander of the West Bank and Coordinator of Activities in the Territories from 1967 to 1974. Gen. Vardi was to visit places of detention, question soldiers and officers and interview Palestinians who alleged having been ill-treated. The Betzelem organization said it continued to demand the setting up of an independent commission of inquiry that would be authorized to investigate all the aspects of the phenomenon, and not merely the IDF's part. According to Betzelem, the principal element responsible for ill-treatment of Palestinian detainees was the GSS, which was beyond the scope of the army's investigating officer. On 15 May 1991, the Minister of Police, Ronnie Milo, told the Knesset plenary that a joint team for the GSS and the Ministry of Justice had been set up to look into the allegations included in the Betzelem report, as well as other allegations concerning GSS interrogators. "After receiving the recommendations of the team, we will decide whether to broaden the investigation and draw operative conclusions", the minister said. He added that after the Betzelem report was published it was examined carefully, and it turned out that some of the complaints mentioned in the report had already

been examined by a GSS comptroller, and the findings passed on to the Justice Ministry. Some of the complaints were still in various stages of examination. In other cases, it was impossible to identify the complainants in order to investigate the allegations, and the Justice Ministry had asked Betzelem for details to enable the Ministry to carry out an investigation. (Jerusalem Post, 24 April 1991; Ha'aretz, Jerusalem Post, 12 and 16 May 1991)

391. On 24 April 1991, the State Attorney's office informed the High Court of Justice that the IDF had introduced, as at 1 April 1991, a new arrangement permitting lawyers to hold private discussions with their clients held in tents inside IDF bases in the territories. A soldier would be watching the meeting but would stand out of hearing distance. The announcement was made in response to a petition to the High Court by Adv. Leah Tsemel and ACRI. The temporary detention facilities were set up in August 1988 in Hebron, Bethlehem, Ramallah, Nablus, Tulkarm, Jenin and Jericho. They consisted of tents inside IDF bases, where persons caught after stone-throwing and similar disturbances were held. Initially it was intended to limit the stay in such facilities to 48 hours, but owing to the pressure in military courts, detainees were held there for up to seven days before being transferred to official detention facilities. Because of these circumstances, lawyers could see their clients for the first time in court, as the IDF refused to allow lawyers to enter IDF bases to meet with their clients. Under the new arrangement meetings would be held without any limitation on their duration and without prior notice. Following the announcement by the State Attorney's office the High Court decided to suspend the hearing of the petition for two months to allow time to examine the functioning of the new arrangement. (Ha'aretz, 25 April 1991)

392. On 7 May 1991, the Prison Services spokeswoman confirmed a report that a Palestinian prisoner, Intisar Elkak (19), was forced to give birth with her arms handcuffed to the bed. The spokeswoman added that the prison authorities had apologized to the detainee. Elkak is serving a four-year sentence for carrying a petrol bomb in Jerusalem's Old City in early 1990. (Jerusalem Post, 8 May 1991)

393. On 13 May 1991, ACRI submitted two complaints to Gen. Rafael Verdi, appointed by the Chief of Staff to head a military commission of investigation into allegations of torture and ill-treatment in military places of detention. The first complaint concerned an administrative detainee, Eiman Shafi from Nablus, held since the beginning of 1990 in the Tulkarm detention centre. In an affidavit given to Adv. Tamar Peleg of ACRI, he described his methods of interrogation, which was allegedly carried out while his hands and legs were bound together and tied to a chair, and his head was covered with a bag. In this position, the interrogators allegedly suffocated and beat him, including in his testicles. Between the interrogation sessions, which lasted from 8 a.m. to 6 p.m., every day, he was kept in a tiny cell, 80 centimetres wide, nicknamed the "cupboard". The second complaint concerned Nidal Abu Lawi from Nablus, who made a similar description of his ill-treatment in the Tulkarm facility. (Ha'aretz, 14 May 1991)

394. On 22 May 1991, a sit-in strike was held by the Palestinian Women's Association in the Red Cross offices in East Jerusalem, to protest against conditions in detention centres, which the participants described as "illegal and inhuman". The main subjects of protest were the quality and quantity of food, hygiene, methods of interrogation and visit arrangements. In another development, it was reported that MK Haim Oron (Mapam) had warned the Defence Minister that the recent cut in the food rations to administrative detainees could cause unrest among the detainees. Security sources rejected complaints about prison conditions, saying that independent bodies that had visited the prisons had concluded that conditions prevailing there were fair. (Ha'aretz, 23 May 1991; Al-Fajr, 27 May 1991)

395. On 23 May 1991, it was reported that Dr. Ram Yishai, President of the World Medical Federation, had examined the conditions of security female prisoners in Hasharon prison, following numerous complaints, and had come to the conclusion that the prisoners were given a "humanitarian treatment and medical aid when necessary". In comparison with a visit to the prison held the previous year, no deterioration was found in the prisoners' conditions. Dr. Yishai looked in particular into personal files of some of the prisoners, and examined two prisoners. He pointed out that none of the prisoners alleged sexual harassment, or any other form of unfit behaviour by the warders. Dr. Yishai looked in particular into the cases of the following prisoners (regarding whom it had been alleged that they were denied adequate medical treatment): Naame al-Hilou (38), from Jabalia, Fatwa Ahsi (25), from Silwan, Ataf Alian (28), Fatma Abu-Bakra (34), and the baby daughter of Antisar al-Kalet. (Ha'aretz, 23 May 1991)

396. On 24 May 1991, it was reported that a delegation composed of several members of the Jerusalem Municipal Council and the town's legal adviser had recently visited the Russian Compound Police detention facility, following a number of reports by human rights groups alleging bad conditions and practice of torture and ill-treatment there. The delegation wished to visit the GSS interrogation ward but was not allowed access. The commander of the detention centre, Zion Ezra, told the delegation that he was responsible for the detainees' conditions of detention, but not for their interrogation, which was carried out by the GSS and regarding which he had no authority, and could not even attend such interrogations. He affirmed that since February 1991, when he took office, there were no occurrences of violence against detainees. He denied the existence of small cells nicknamed "cupboard" or "grave", and the existence of sub-standard cells in the GSS ward. There were "isolation cells", which were smaller than other cells. The delegation could visit the cells and talk to detainees, but not in private. They did not see any detainee with marks of beatings. They found that the cells were clean and had warm water around the clock. There was no separation between minor and adult female detainees, as prescribed by law, but only between Arab and Jewish detainees. The facility, designed for 130 detainees, held 269 detainees on the day of the visit. (Ha'aretz, 24 May 1991)

397. On 6 June 1991, a report was published by the State Comptroller's office concerning, inter alia, the situation in the Ketziot detention facility.

Following are some of the findings, regarding the period from May to July 1990. The facility is under the responsibility of the army's Southern Region Command, but in fact it is administered by the military police. Some 6,200 persons were detained in it during the period under examination. Lawyers could meet their clients only one week after a request was made. The duration of meetings between lawyers and their clients was limited to 5 minutes (except in one bloc where it was 20 minutes). (The report pointed out that in September 1990 the IDF announced that there were no longer limitations on the duration of meetings and that it was up to the lawyers to decide on it.) There was a serious problem of overcrowding, with 26 detainees held in one big tent, or two smaller ones put together, an area of 50 square metres. Tents assigned to administrative detainees housed 22 to 24 persons. On an average, each detainee had only two square metres, and mattresses were touching each other without any space between. The level of hygiene was poor, especially in the kitchen of one bloc, owing to a faulty sewerage system. The commander of the facility and other authorized officers were entitled to impose penalties on detainees who broke the discipline. Penalties included denial of the right to send letters for up to 15 days; denial of the right to two visits; denial of the right to the daily cigarette allowance for up to 7 days; being kept in a small cell for up to 96 hours. The report found that in some cases detainees were kept in small cells for 14 days as a punitive measure, despite the regulations. The State Comptroller was favourably impressed with the medical treatment given to detainees and the supply of food, cigarettes and other articles. (Ha'aretz, 6 June 1991)

398. On 17 June 1991, a group of Arab and Jewish women held a sit-in in front of the Red Cross offices in East Jerusalem, in protest against the detention of Rabiha Shatiya (33), from Jerusalem, at the GSS wing at the Russian Compound. The women said in a letter to the Prime Minister and the Minister of Police that she was suffering from cancer and could not get adequate treatment in detention. (Ha'aretz, 18 June 1991)

399. On 23 June 1991 Arab prisoners held in the Nafha jail, in the Negev, and in Ashkelon jail, went on hunger strike to protest against their conditions. They were demanding improvements in the quantity and quality of food and in the medical care. They also demanded to be allowed visits by anyone wishing to visit them and not only family members. On 9 July 1991, it was reported that the hunger strike by security prisoners in Nafha prison had ended after 16 days, following a meeting between the Southern Region police commander and representatives of the Gaza Bar Association. According to a spokesperson for the Prisons Service no concessions were made to the prisoners in security matters, but some of the demands concerning welfare and conditions, such as the provision of a washing machine, had been approved. (Ha'aretz, 24 June 1991, 9 July 1991)

400. On 5 July 1991, it was reported that families of Palestinian security prisoners had begun a sit-down strike outside Red Cross offices in the West Bank and the Gaza Strip to support demands to improve prison conditions. Security prisoners in the Nafha prison, near Ashkelon, had been on hunger strike since 23 June 1991 and it was feared the hunger strike would spread to

other places of detention. According to the prisoners and their families the quantities of food given to them had been reduced. Cuts were made in the provision of certain ingredients and in articles such as soap, shaving cream and toilet paper. Medical treatment given in the prison was deplorable and sanitary conditions were very poor. It was further alleged that physical and psychological violence was frequent, that collective punishment was a common practice and that young detainees, even minors, were kept together with convicted criminals. A spokesman for the Prisons Service Authority rejected the allegations and said prisoners were accorded visits and all the other rights given to them in the past. On 8 July 1991, in reply to a question by MK Haim Oron, Defence Minister Arens acknowledged that since the beginning of April 1991 the food given to security prisoners had been cut by 11.6 per cent, "as a savings measure, and in accordance with the army's policy". Following the prisoners' protest, however, the matter was re-examined and it was decided to reintroduce some of the ingredients that had been cut. (Ha'aretz, 5 and 9 July 1991)

401. On 15 July 1991, the commander of the military police reported to the Knesset State Control Committee that 9,128 residents of the territories were currently being held in military prisons. They included 580 held in administrative detention. Some 4,891 of the persons detained were convicted prisoners serving their sentences; 2,966 were detained until the end of legal proceedings (pre-trial detainees); and 691 were "regular detainees". He pointed out that these figures showed a significant drop in the number of detainees and an increase in the number of convicted prisoners. A big drop (over 50 per cent) was reported in the number of administrative detainees, as compared with the "peak periods" of the uprising. Another problem discussed during the Knesset Committee's debate concerned family visits in the Ketziot jail. It was reported that in spite of approximately NIS 1.5 million ($600,000) spent by the IDF to prepare infrastructure for family visits in Ketziot, such visits were still not carried out owing to the families' refusal to ask the Civil Administration for authorization. (Ha'aretz, 16 July 1991)

402. On 31 July 1991, the Ministry of Justice made public its reaction to an Amnesty International report published on 29 July 1991, which accused Israel of torture and ill-treatment of Palestinian detainees in the territories. The Ministry of Justice said that Amnesty International had totally disregarded the fact that detainees and convicted prisoners often had personal and political motives to exaggerate or "make up stories" in order to embarrass the authorities. Such personal motives could be a wish to nullify a confession made earlier, or to escape groups of Palestinians who murdered or injured detainees who reached plea-bargaining agreements. A political motive could be the will to disinform in order to harm Israel's reputation regarding human rights. The Justice Ministry quoted as an example the case of Ahmed al-Hawamda, who alleged, through his lawyer, having been beaten while in detention in the Dhahiriya jail in August 1989. After his allegations were looked into, he retracted his allegations and admitted having made them to get better medical treatment and so that his family would consider him a hero. In another case taken up by Amnesty International, that of Ahmed Kabaha, who had alleged having been tortured, the detainee later retracted the allegation in a

written statement in which he admitted having caused cigarette burns to himself. The Ministry of Justice affirmed that every allegation of abuse was looked into and if it was found to be true measures were taken against those responsible for the abuse. Interrogators identified themselves to those they interrogated, so that in case of alleged abuse they could be summoned to testify in court. A joint committee of the Ministry of Justice and the GSS was set up to investigate allegations about excessive methods of interrogation. The IDF has also appointed an investigating officer to look into methods of interrogation by military interrogators. (Ha'aretz, 31 July 1991)

403. On 8 August 1991, it was reported that some 500 administrative detainees from the territories held in Ketziot were boycotting the prison infirmary, even though some of them need ongoing medical treatment. The boycott reportedly began when a prisoner who went to the infirmary for treatment was told by a man he did not know that if he cooperated with the authorities he would receive better treatment and if not, he would not be treated at all. Military sources confirmed there was a boycott in progress, but that the rumour that started it was unfounded. (Ha'aretz, Jerusalem Post, 8 August 1991)

404. On 8 August 1991, it was reported that as at October 1991 the security authorities would, for the first time, allow families of prisoners held in Ketziot to visit the prisoners. Under an agreement reached between the security authorities and the Red Cross, every inmate would submit a list of people whom he asked to be visited by. The prison authorities would transmit the list to the Civil Administration in the territories, which would check them without direct contact with the families. The authorized lists would then be transmitted to the Red Cross, which would be in charge of transporting the families to the facility. The agreement was reportedly seen as a victory by the leadership of the uprising, which, over the past four years, had refused any direct contact with the Israeli authorities. The refusal had led to a ban on family visits to inmates in Ketziot. The new agreement provided for regular family visits to all prisons in Israel where security prisoners were held. Some 50,000 prisoners were currently held in Ketziot. Military sources reported that conditions in Ketziot were constantly being improved. The overcrowding that characterized the facility in the past was no longer a problem and use of tear-gas and rubber bullets against the inmates all but halted (except in cases of serious rioting, when tear-gas was resorted to only if ordered by senior officers). (Ha'aretz, Jerusalem Post, 8 and 9 August 1991)

E. Annexation and settlement

Oral evidence

405. A number of witnesses referred to the escalation of the annexation policy in the course of the recent period.

406. An anonymous witness stated in that regard:

"About one year ago, a lot of land was confiscated in my village, as in other villages. If one stone is thrown at them, the Israeli soldiers confiscate land and uproot trees as a reprisal. On Thursday, the Arab youth threw a Molotov cocktail at the Civilian Administration Headquarters. As a result, they uprooted all the olive trees surrounding the area. Originally this administrative centre was a house which the Israelis seized from the owner and turned into an office for the Civilian Administration. When they confiscate a piece of land, no one is allowed to pass any more without a permit. And even when you carry a permit, you run the risk of being fired at. If they confiscate a piece of land of two dunums, it means that the whole area becomes condemned. For instance in my village, they confiscated land and turned it into a training camp for the army. They uprooted the olive trees and deprived the inhabitants of access to their own land. I have a piece of land which was confiscated. ...

"In my area, we have three Arab villages, two settlements and one training centre. In these settlements, they bring mobile prefabricated houses, which can be brought and put up very quickly. That is how the settlements can grow fast. So, the number of settlements is increasing and only 10 or 12 days ago, I heard that they are going to establish a new settlement in Nablus." (A/AC.145/RT.560)

407. Mr. Mohammed Melhem referred in his statement to the increasing annexation trend since the Gulf war:

"Concerning their plans of expropriating land, there is an overwhelming activity in expropriation and building of settlements. It is feverish. You can imagine what the layman, what the ordinary Palestinian in the occupied territories feels when he sees that the land is getting less and less and that the time might come when he has no place to stay and to make a living (56 per cent of the land has been expropriated so far and there are plans to expropriate 20 to 25 per cent more)." (A/AC.145/RT.560/Add.1)

408. The specific settlement policy in and around Jerusalem was also stressed:

"Since 1967, the Israelis have planned a general scheme for settling people in the occupied territories, for colonizing the occupied territories. One of the most destructive elements in this plan is the fragmentation of the Palestinian society, by surrounding the Palestinian people with settlements, separating them from each other, cutting them off from each other. This was not only done in all parts of the occupied territories, but it was emphasized in Jerusalem."
(Mr. Abdel Jawad Saleh, A/AC.145/RT.566)

"In Jerusalem, the Israeli occupation authorities concentrate on the seizure of buildings belonging to Arab people. The inhabitants of the buildings are expelled, because the Israelis regard Jerusalem as an eternal capital for Israel. ...

"The Israelis have also concentrated their attempts on bringing immigrants and settling them in Jerusalem. They give these immigrants additional temptations and incentives beside the assistance normally provided also to the other immigrants settling in the West Bank. The number of immigrants who have settled in Jerusalem is many times the number of those who have settled in the Golan, in the Gaza Strip and in the West Bank. ...

"Bigger loans are usually given to immigrants settling in Jerusalem than to those settling in the West Bank, to enable them to buy land. The contractors receive guarantees up to 100 per cent for the purchase of houses. Jerusalem has been declared a 'zone of development'." (Mr. Mahfouz Jaber, A/AC.145/RT.563)

409. Accounts of the annexation and settlement policy pursued by the Israeli authorities in the occupied territories may be found in documents A/AC.145/RT.556 (Mr. Mohammed Najdi El-Jazzar); A/AC.145/RT.560 (an anonymous witness); A/AC.145/RT.560/Add.1 (Mr. Mohammad Melhem); A/AC.145/RT.563 (Mr. Mahfouz Jaber); A/AC.145/RT.566 (Mr. Abdel Jawad Saleh); and A/AC.145/RT.569/Add.1 (an anonymous witness).

Written information*

410. On 3 April 1991, it was reported that some 20 mobile homes had been set up recently in Kiryat Arba "to meet the growing housing needs created by the influx of Soviet immigrants", some 400 of whom have moved into the settlement over the past year. (Jerusalem Post, 3 April 1991)

411. On 9 April 1991, Prime Minister Shamir promised US Secretary of State Baker that the plan by Housing Minister Sharon to add 1,300 housing units to existing settlements would not be carried out without the full Government's approval. (Ha'aretz, 10 April 1991)

412. On 10 April 1991, Palestinian sources alleged that over the past month Israel had expropriated some 70,000 dunams in the territories: 2,500 in Deir Abu-Mash'al near Ramallah; 10,000 in Laben a-Gharbiya near Nablus; 8 in A-Zawiya; 1,000 in Sanu' in Mount Hebron; 1,500 in Abud near Ramallah; 4,500 in Rafat near Kalkilya; 200 in Bethlehem; 20 in Bir Zeit; 5 in Tubas; 50 in Deir Istiya, and some 50,000 in four villages in the Ramallah region.

* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraphs 238 to 244 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 239 to 242 of document A/46/282.

The lands expropriated included lands confiscated for building roads between Jewish settlements, expanding existing settlements and lands taken by settlers. In a related development, it was reported that 30 dunams of olive groves in Wadi Joz neighbourhood, East Jerusalem, were given, at the instruction of Housing Minister Sharon, to the Ateret Cohanim Yeshiva. Jerusalem Mayor Teddy Kollek said no one had consulted with him or with any other municipal official about the matter. Sources in the Israel Lands Authority, in whose possession the plot was kept for the past 22 years, and in the Yeshiva itself, denied the report. There was no comment from the Housing Ministry. (Ha'aretz, 10 April 1991; Al-Fajr, 15 April 1991)

413. On 11 April 1991, it was reported that over the period January 1989 to January 1991 7,051 new immigrants settled in the territories; this figure included the 5,676 immigrants living in neighbourhoods surrounding Jerusalem: Ramot, Gilo and Pisgat Zeev. According to these data only 3 per cent of the 223,000 immigrants arriving in Israel over that period settled in the territories. (Ha'aretz, 11 April 1991)

414. On 11 April 1991, Science Minister Yuval Ne'eman announced that Gush Emunim and the Regional Councils of Binyamin and Samaria in the West Bank had begun setting up the settlement of Revava, near Ariel. The new settlement was reportedly approved by the Ministerial Settlement Committee in 1984. It was being built on a tract of 224 dunams purchased from Palestinian landowners. On 15 April 1991, 14 mobile homes were moved into the Revava site in a clandestine operation, despite fierce opposition and demonstrations at the site by left-wing activists. On 25 April 1991, the IDF stopped Gush Emunim members from bringing nine more mobile homes. A spokesman for the Defence Ministry said any move in the new settlement had to be halted pending a decision by the High Court of Justice on its legality. (Ha'aretz, Jerusalem Post, 12, 17 and 26 April 1991)

415. On 21 April 1991, Gush Emunim sources reported that preparatory works were under way for bringing 20 mobile homes to new sites: Yad Shaked, in northern Samaria, and a new quarter near Barkan. A new settlement, called "Ratzif", would also be created by Gush Emunim in southern Samaria. (Ha'aretz, 22 April 1991)

416. On 21 April 1991, the High Court of Justice issued a temporary injunction ordering the IDF authorities in the West Bank to halt uprooting olive trees and building roads in Anabta. High Court Judge Gabriel Bach issued the injunction in response to a petition by three residents, Amana Estaban, Mahmud Saafsha' and Ziad al-Halim, who claimed that, a week earlier, while the village was under curfew, IDF forces started uprooting trees and building roads in their lands, without informing them and without giving them access to their lands. Judge Bach ruled that the petition would be heard before a three-justice bench. (Ha'aretz, 22 April 1991)

417. On 22 April 1991, a new settlement, called "Talmon B", was set up, in a clandestine operation, some 10 kilometres north-west of Ramallah. The new settlement was being set up by Amana, the settling body of Gush Emunim,

reportedly with the full knowledge of the IDF authorities. It was located 2 kilometres north of the Talmon settlement, in a site that had not been approved by the Government. According to Amana, Talmon B was not a new settlement but simply "a new quarter of an existing settlement". During the works on the site the area was watched by two soldiers and access to the site was barred, "especially to journalists". Seven mobile homes were sent to Talmon B, and intensive work was under way in the site. It was reported that construction activities were under way in other settlements in the same area: in Dolev 10 new mobile homes were set up, and in Yad-Yair (a plot of 1,000 dunams confiscated after the killing of Dolev settler Yair Mendelssohn) preparatory work was under way to set up a new Nahal outpost, including the construction of a road bypassing the villages of Janiya and Ras Carkar. Works were also reported in Ariel and Dotan. (Ha'aretz, 23 April 1991; Al-Fajr, 29 April 1991)

418. On 28 April 1991, the High Court of Justice rejected a petition by a resident of Kifel Harith village who demanded that the settlement of Revava be dismantled since it was built on his lands. The High Court ruled that the petitioner, Jamal Abdallah Darwish, had failed to prove his claims and that the petition was lacking in substance. The Court none the less authorized Darwish's lawyer, Linda Brayer, to survey the land for herself under army protection. The Court also rejected a petition by seven residents of the same village claiming that workers building a fence around Ariel had trespassed on their property. (Al-Fajr, Ha'aretz, Jerusalem Post, 29 April 1991)

419. On 1 May 1991, it was reported that the Housing Ministry was planning to build 24,000 new housing units in the West Bank to accommodate 88,000 Jews. In Ofarim, where 14 families lived at present, it was planned to build 10,400 housing units for 38,000 people; in nearby Alei-Zahav 1,700 units for 6,200 people; in Brukhin 2,800 units for 10,200 people; in Avnei Khefetz 2,100 units for 7,665 people; plus 3,500 units for 12,000 people in the settlement's southern sector; and in Ariel 2,700 units for 10,260 people. These data were included in a letter written by a Housing Ministry official, Haim Zimmer. When asked to comment on these data, the Housing Ministry declined to do so. (Ha'aretz, 1 May 1991)

420. On 5 May 1991, it was reported that the foundations for an extension of Karnei Shomron settlement in Samaria had been laid, in preparation for 2,000 new housing units. The new neighbourhood was several hundred metres east of the settlement. (Jerusalem Post, 5 May 1991)

421. On 6 May 1991, it was reported that Gush Emunim was planning to settle 15 families in a site called "Har Manoah", near Hebron. All the necessary authorizations had already been granted. A Gush Emunim spokesman said that the new neighbourhood would be the third part of Kiryat Arba (in addition to Kiryat Arba itself and Givat Harsina ("Porcelain-Hill"), which are several kilometres away from each other). "The plan is to create a mosaic of Jewish neighbourhoods on the hills surrounding Hebron, leaving in the midst islands of Arab neighbourhoods", he said. (Ha'aretz, 6 May 1991)

422. On 8 May 1991, it was reported that two villagers from Deir al-Hatab, Salah Ahmed and Fawaz Hussein, alleged that Elon Moreh settlers were carrying out work on 78 dunams of land belonging to them. They wanted to petition the High Court of Justice, but the petition was refused on the grounds that it was based on information transmitted by telephone and was not complete. (Ha'aretz, 8 May 1991)

423. On 15 May 1991, it was reported that 31 caravans had been placed near the settlement of Givon-Hadashah, in the region of Bidu village. According to the Housing Ministry this was not a new settlement but a new neighbourhood of Givon-Hadasha, aimed at providing housing solutions for the ever-growing settlement. The new site was located one kilometre from Givon-Hadashah, itself a neighbourhood of Givon, which was developing rapidly. Villagers from Bidu alleged the new neighbourhood was being built on their lands. According to settlement sources it would be possible to reach a Jewish population of 850,000 in the West Bank within a few years, merely by expanding the existing urban and community settlements. (Ha'aretz, Jerusalem Post, 15 May 1991; Al-Fajr, 20 May 1991)

424. On 27 May 1991, it was reported that an outline plan for the settlement of Maaleh Adumim, east of Jerusalem, which was "in its final stages" before being approved, provided for expanding the settlement over 15,000 more dunams, approximately 50 per cent of its present surface. The settlement would expand westward and would almost link up with the eastern neighbourhoods of Jerusalem, such as Pisgat Zeev and Mount Scopus. It would also touch upon Arab villages and camps, Anata, Eizariya and al-Azaim, thus penetrating into a region populated with some 100,000 Palestinians. A Maaleh Adumim official said all the area to be added to the settlement was made up of state-owned lands, but it turned out that there were several Arab-owned plots in the area, and the official expressed hope that the owners would sell them to the State. (Ha'aretz, 27 May 1991; Al-Fajr, 3 June 1991)

425. On 3 June 1991, the Housing Ministry said it had allocated funds for the construction of 1,454 apartments and houses in the Katif bloc, on the southern Gaza Strip coast. The Housing Minister, Ariel Sharon, also gave details about construction in Maaleh Adumim, where some 2,000 apartments were under construction, in addition to 1,000 just built. Two Knesset members, Dedi Zucker and Haim Oron, charged in a letter to Prime Minister Shamir that 2,000 housing units were being built in Katif bloc, to add 10,000 settlers to the current 3,000 in the Strip. Palestinians living in the area said they had noticed that 30 to 40 new one-storey houses in Neve Dekalim, in Katif bloc, had been completed in the past two months and other houses were being built. Outside the Katif bloc they reported seeing two dozen new homes in Netzarim, four kilometres south of Gaza, and several new caravans on a plot of land near Kfar Darom, two kilometres east of Deir el-Balah. (Al-Fajr, 3 June 1991; Ha'aretz, Jerusalem Post, 4 June 1991)

426. On 18 June 1991, Prime Minister Shamir declared during a visit to the settlement of Beit Arieh that building settlements in the territories was "a normal, ordinary process that cannot be stopped". (Jerusalem Post, 19 June 1991)

427. On 23 June 1991, over 250 residents of Um-Tuba, in East Jerusalem, demonstrated after being told to vacate a plot of land of 1,850 dunams, which they believed was going to be used for a Jewish settlement. For many years the residents had been told they could not build on that land because it was kept as an open zone. Some of the land was owned by Beit Sahour residents. (Jerusalem Post, 24 June 1991; Al-Fajr, 1 July 1991)

428. On 2 July 1991, it was reported that the Housing Ministry had set up a special office to oversee settlement activity in the territories, with a view to accelerating construction and expanding existing settlements. A Housing Ministry spokesman said that during fiscal year 1990 4,500 houses were under construction in the territories and construction of another 11,500 units was planned for 1991, but no plans had been finalized. According to another report, the increased construction planned in the territories could increase the Jewish population in the territories by half a million. Thousands of dunams were earmarked for dozens of settlements, including Ofarim, Hermesh, Immanuel, Talmon, Ofra, Shiloh, and Adora. As regards Ofarim, north-west of Ramallah, the Ministry of Housing earmarked 6,000 dunams, on which some 10,000 housing units would be built for over 30,000 people. But the Housing Ministry's planners reportedly included in the areas earmarked for Ofarim many privately owned Arab lands, belonging mostly to residents of Abed. (Ha'aretz, Jerusalem Post, 2 July 1991)

429. On 11 July 1991, a new highway was inaugurated, connecting the Katif bloc, in the southern Gaza Strip, to the Western Negev, and bypassing Arab villages and refugee camps in the Gaza Strip. The head of the Gaza Beach Regional Council said in the ceremony that some 4,000 settlers lived in the Katif bloc's 16 settlements, and the area was currently undergoing massive growth, with some 1,000 housing units under construction. (Jerusalem Post, 12 July 1991)

430. On 21 July 1991, a follow-up team of the Peace Now movement published its findings on the construction of new roads in the territories. The team affirmed that 80 to 100 kilometres of roads were either under construction or about to be built in the territories; most of the new roads were designed to bypass Arab towns or villages that had become dangerous to settlers because of the uprising. Among the roads whose construction was completed the team mentioned the Azzun bypass (6 kms), the Kramim-Sham'a road (14 kms) and the Umm Safa bypass (6 kms). Roads under construction included the Bethlehem bypass, between Gilo and the Etzion bloc (14 kms), the Kissufim-Katif road (12 kms) and the Bani-Naim bypass (12 kms). (Ha'aretz, 21 July 1991)

431. On 26 July 1991, the Defence Ministry spokesman confirmed that the Government had been giving land free to Jewish developers in the territories since November 1990 in order to encourage building there. The policy was carried out by the Defence Ministry in coordination with the Housing Ministry. Housing Ministry officials denied that a "free-land policy" or any part of the Ministry's housing policy in the territories was being carried out secretly. One official pointed out that Housing Minister Sharon had announced on several occasions that 13,000 units would be built in the territories in

the fiscal year 1990/1991 and he had stuck to that projection. (Jerusalem Post, 28 July 1991)

432. On 29 July 1991, Housing Minister Sharon announced that infrastructure and development was under way for the construction of a new town, called Avnei-Hefetz, near Tulkarm. He added that in the coming year half the Ministry's construction activity would take place in Jerusalem and in the territories. (Ha'aretz, 30 July 1991)

433. On 1 August 1991, settlement sources confirmed that the Housing Ministry was using sites in the territories with existing electricity and water outlets, often in non-residential areas, to dump mobile homes not wanted in Israel itself. The Ministry was reportedly placing at least 100 mobile homes a week in West Bank settlements. Dozens of mobile homes have been placed in recent weeks in the industrial zones near Barkan Givon Hadashah and Beit Arieh settlements. The Housing Ministry's spokesman said that "the placement of mobile homes in Barkan was done with all the necessary permits". He added that Minister Sharon "has announced that 13,000 units will be put up in Judea, Samaria and Gaza in two years, and that includes mobile homes". (Jerusalem Post, 2 August 1991)

434. On 6 August 1991, it was reported that a new Gush Emunim settlement, "Eshkolot", had been inaugurated in southern Mount Hebron. It was formerly a Nahal outpost, and the conversion to a civilian settlement was done with the approval of Defence Minister Arens. In another development, the Defence Ministry reportedly authorized 160 students from a yeshiva in Hebron to set up temporary quarters on the site of the town's former central bus station, taken over by the IDF in 1983, on condition that it only be used for military purposes. The Defence Ministry informed the High Court of Justice of its intention to allow nine mobile homes to be placed on the site, to be used by the students during renovation works at their permanent quarters in the Romano building in Hebron. On 23 August 1991, it was reported that 126 yeshiva students had moved into 10 mobile homes placed in the site. Sixty-four of them were reportedly equipped with sub-machine-guns. It was also reported that the site was placed under heavy guard. (Ha'aretz, Jerusalem Post, 6 and 8 August 1991; Jerusalem Post, 23 August 1991)

F. Information concerning the occupied Syrian Arab Golan

Oral evidence

435. In a statement delivered before the Special Committee at Damascus on 23 May 1991, Mr. Mohammed Najdi El-Jazzar, Director, Department of International Organizations, Ministry of Foreign Affairs of the Syrian Arab Republic, referred to the situation in the occupied Syrian Arab Golan and stated in this connection:

> "You are undoubtedly aware of the declarations which the Israeli Minister of Housing and Construction Sharon made on 21 May 1991, during his provocative visit to the occupied Syrian Arab Golan, in which

he said that the Israeli Government was determined to double the number of Israeli settlers in the Syrian Golan Heights. ...

"The practices of the Israeli occupation authorities in the occupied Syrian Arab Golan constitute persistent and ever-increasing violations of the principles of international law, particularly the Charter of the United Nations, the Hague Conventions of 1899 and 1907, the Fourth Geneva Convention of 1949, the International Convention on the Elimination of All Forms of Racial Discrimination of 1966, and the relevant resolutions of the Security Council and the General Assembly of the United Nations. In fact, since the announcement of their annexation of the territory of the occupied Syrian Golan, the Israeli occupation authorities have been diligently endeavouring to change the demographic characteristics of the territory's population by increasing the number of settlements there to 43. They are also implementing plans to alter the historical, cultural, social and economic features of that occupied territory, on which they have imposed their administration, laws and identity with a view to ultimately obliterating the Syrian Arab identity of the occupied Golan and detaching it from its Syrian motherland in flagrant violation of Security Council resolution 497 (1981) of 17 December 1981 and General Assembly resolution ES-9/1 of 5 February 1982, which the General Assembly has reaffirmed at all its subsequent sessions. In this connection and like every year, we will be submitting a detailed report containing a comprehensive account of Israel's inhuman practices in the occupied Syrian Golan and its violations of the principles of international law and conventions concerning health, services, education, economic and social aspects, personal freedoms and settlement.

"In this regard, it should be noted that, in spite of the harsh measures taken by the Israeli occupation authorities to suppress our people's aspirations in the occupied Syrian Golan, the Arab population of that territory has frequently and forcefully expressed its national attachment to its Syrian motherland and its valiant leader Hafez al-Assad.

"On the morning of 17 April 1990, on the occasion of the celebration of Syria's National Day, our citizens in the occupied Syrian Golan organized a large demonstration in which they carried Syrian flags and banners bearing nationalist slogans expressing opposition to the Israeli occupation. Their route was barred by occupation forces, which used various forms of violence to disperse them, and the occupation authorities immediately deployed large military units in the occupied Syrian villages, set up roadblocks, sent out patrols into the streets and arrested a number of those Syrian citizens. They also imposed a curfew on all the villages with effect from the evening of 16 April 1990. On 1 November 1990, a patrol of occupation troops accosted and opened fire on two Syrian citizens, 20-year-old Faiz Said Mahmoud and Mahmoud Hassan al-Safadi. The first was killed and the second was arrested on the charge of attempting to enter his Syrian motherland. The murder of the first young man unleashed a wave of fury and indignation among the Arab population of Majdal Shams and the other villages in the

occupied Golan and prompted the Israeli authorities to launch a campaign of arrests in which seven citizens were detained.

"In December 1990, an Israeli court sentenced four residents of the occupied Golan to terms of imprisonment ranging from 18 to 27 years on the charge of planning to kidnap an Israeli soldier with a view to forcing the Israeli authorities to agree to release Syrian detainees held in Israeli prisons.

"In the light of the increasing rates of Jewish immigration from the Soviet Union and the countries of Eastern Europe, the Israeli occupation authorities have stepped up their plans to establish new settlements in the occupied Golan. In the second half of 1989, during a visit to the occupied Golan, the Israeli Minister for the Integration of Immigrants agreed to the establishment of three new reception centres at Katzrin and Khisfin and in the vicinity of Hamma. Since early August 1989, they have also been making preparations to increase the number of Jewish settlers in the occupied Syrian Arab Golan from 6,000 to 100,000 over the next 10 years. On 31 October 1989, they also inaugurated a new settlement, known as 'Ahad Sinnin', which the Betar movement had established in the occupied Golan and in which 12 families were initially being accommodated. The Israeli occupation authorities have also begun to settle Soviet Jews in the occupied Golan and, on 8 July 1990, the Israeli press reported that Israel had settled 60 families of Soviet Jewish immigrants in the Golan by the beginning of July.

"On 11 February 1991, Shamir sent a letter to the mayor of the Israeli settlement of Katzrin in the occupied Golan in which he promised the Israeli settlers that Israeli law would remain in force in the Golan forever. On 12 May 1991, Moshe Arens, the Israeli Minister of Defence, justified the ongoing illegal settlements in the occupied territories by affirming that settlement and the Israeli army constituted the two principal sources of Israel's strength and that settlement in the occupied territories proved that those territories were 'part of our country and our homeland in which we have the right to settle'. ...

"The Israeli authorities ... stated that it is expected that the settler population in the next three years in the occupied Golan would reach 100,000. It is clear that the statement of the Israeli authorities and the figures they are providing sometimes are not in line with what we have heard before. In other words, they are more, or they do not reflect what other Israeli authorities have said on previous occasions. However, from all this, it is certain that these plans and programmes are set out to change the situation as far as settlers are concerned in all the occupied territories, including the Golan. We have no doubt that the occupation authorities are determined to entrench their occupation further, including a legislation about annexing the occupied Golan and making it part of the Israeli territory. We have no doubt that the Israeli authorities are making all efforts to intensify their settlement programmes in the Syrian Golan. They are proceeding rapidly along this

path and using all their capacities in order to reach the figures I referred to, namely, that there would be 100,000 settlers in the occupied Golan in the next three years. This is their intention and they are working on it with determination. They have a well set plan to increase the number of new Jewish settlers in the occupied Golan and to reach the highest possible figure, namely 100,000 - and this is my personal view that, if they can even increase that number, they will not hesitate to do so. It is an Israeli decision to consider this area as part of the Israeli State. The State of Israel is acting and working in order to give to this decision a de facto reality, in order to change the cultural, the economic, the social nature of this area, in order to change everything that links Golan to Syria. The occupation authorities are systematically trying to put an end to such links through their programmed policy of increasing the number of settlers in the Golan as quickly as possible." (A/AC.145/RT.556)

Written information*

436. On 21 May 1991, it was reported that a new settlement, called "Kanaf", was to be inaugurated, and that two others, one in the northern Golan and the other in the southern Golan, were planned. Housing Minister Sharon announced during a visit to the region that the Government had finalized plans aimed at doubling the Jewish population of the region, which currently numbers around 12,000 people. It was also reported that dozens of new homes were under construction in Katzrin, the largest settlement in the region. (Ha'aretz, 21 May 1991; Jerusalem Post, 22 May 1991)

437. On 23 July 1991, it was reported that the head of the Golan Heights Regional Council had announced that four new settlements would be set up shortly in the region and that new immigrants would settle there. Two of the four, Bruchim and Agmon, had already been approved by the Ministerial Committee on Settlements, and land had been set aside for the others. Some 3,200 housing units were currently under construction in the region. (Jerusalem Post, 23 July 1991)

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* Information on this subject covering the period from 1 September 1990 to 30 November 1990 is to be found in paragraph 243 of document A/46/65; information on the same subject covering the period from 1 December 1990 to 31 March 1991 is to be found in paragraphs 245 to 247 of document A/46/282.

V. CONCLUSIONS

438. After carefully evaluating the information contained in the two periodic reports (A/46/65 and A/46/282) and in the present report, the Special Committee wishes to draw the following conclusions. The twenty-second report having been adopted on 10 September 1990, the conclusions thus cover the period from 1 September 1990 to 22 August 1991. It must be borne in mind, however, that the frequency and intensity of incidents that occurred during the period under consideration and the impressive amount of information on the human rights situation received and examined by the Special Committee did not permit its total reflection in these reports; the Special Committee has endeavoured, within the constraints imposed by the specific regulations with regard to the length of United Nations documents, to include in its reports, as faithfully as possible, samples of the information it has received in order to illustrate in the best possible manner the situation of human rights in the occupied territories during the period covered by these reports.

439. Since its establishment in 1968, the Special Committee has consistently tried to obtain the cooperation of the Government of Israel, but in spite of its repeated attempts has so far been denied such cooperation. During the period under consideration the Committee has once again addressed a letter to the Secretary-General seeking his intervention in order to convince the Israeli Government to cooperate. Regretfully the Government of Israel has continued to withhold its cooperation.

440. On the other hand, the Special Committee has been able to benefit from the cooperation of the Governments of Egypt, Jordan and the Syrian Arab Republic, and of various Palestinian representatives. The Special Committee, having been precluded from visiting the occupied territories, in addition to its regular meetings at Geneva, again travelled to Damascus, Amman and Cairo in May and June of this year where it heard the evidence of persons with first-hand knowledge and personal experience of the human rights situation in the occupied territories. In addition, the Special Committee followed the situation in the occupied territories on a day-to-day basis through reports appearing in the Israeli and Palestinian press. The Special Committee also examined a number of valuable communications and reports from Governments, organizations and individuals concerning the occupied territories that reached it during the period under review.

441. On the basis of the information and evidence put before it, the Special Committee concludes that during the reporting period the human rights situation of the Palestinians and other Arabs in the occupied territories has deteriorated to such an extent that this population is now reaching a state of mere survival.

442. The persistence of this negative trend, intensified in the recent period by the accumulated hardships of more than three years of struggle and by the repercussions of the Gulf crisis and ensuing war, basically derives from the fundamental reality, stressed by the Special Committee since the outset of its

activities, that occupation in itself constitutes a violation of human rights. Israel has continued, during the period under consideration, to pursue and implement a general policy based on the claim that certain territories occupied by Israel in 1967 constitute a part of the State of Israel. This policy has led to the annexation of Jerusalem and the occupied Syrian Arab Golan and the imposition of Israeli law over these territories. The Special Committee wishes to recall in this connection that the Security Council, in its resolution 478 (1980), inter alia, determined that all legislative and administrative measures and actions taken by Israel which have altered or purport to alter the character and status of the Holy City of Jerusalem, and in particular the "Basic Law" on Jerusalem, are null and void and must be rescinded forthwith. With regard to the occupied Syrian Arab Golan, the Security Council in its resolution 497 (1981), inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on this territory was null and void and without international legal effect. This policy has also resulted in the establishment of settlements in the occupied territories, expropriation of property, transfer of Israeli citizens including Jewish immigrants to the occupied territories and in inducing, directly or indirectly, the Palestinian and other Arab population to leave their homeland.

449. The Special Committee stresses once again that such policy is in violation of the obligations of Israel as a State party to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. It should be recalled that this Convention stipulates that military occupation is to be considered as a temporary, de facto situation giving no right whatsoever to the occupying Power over the territorial integrity of the occupied territories. Various illustrations of the Israeli attitude are provided in the present report, such as the declaration made on 20 February 1991 by the Deputy Housing Minister, to the effect that the Ministry planned to build several thousand houses in the territories over the next three years, including 2,000 during fiscal year 1991. "The Ministry builds in the territories in response to the needs of the population in the territories, or of Israelis who want to move there, to the same extent as has been done in the past", he said (Jerusalem Post, 21 February 1991; see A/46/282, para. 242). This intention was further confirmed on 1 May 1991 when it was reported by Ha'aretz that the Housing Ministry was planning to build 24,000 new housing units in the West Bank, to accommodate 88,000 Jews (see para. 419 above). On 2 July 1991, it was reported that the Housing Ministry had set up a special office to oversee settlement activity in the territories, with a view to accelerating construction and expanding existing settlements. According to another report the increased construction planned in the territories could increase the Jewish population in the territories by half a million (Ha'aretz, Jerusalem Post, 2 July 1991; see para. 428 above). This accelerated settlement policy has been particularly noticeable in the Jerusalem area where, for instance, it was reported by Ha'aretz on 27 May 1991 that an outline plan for the settlement of Ma'aleh Adumim, east of Jerusalem, provided for expanding the settlement over approximately 50 per cent of its present surface, thus almost linking it up with the eastern neighbourhoods of Jerusalem (see para. 424 above). The trend to settle new immigrants arriving

in Israel in the occupied territories also persisted during the reporting period. On 7 October 1990, Prime Minister Shamir stated that his pledge earlier in the year not to settle Soviet Jewish immigrants in the territories did not include East Jerusalem (Ha'aretz, Jerusalem Post, 8 October 1990; see A/46/65, para. 241); and the Deputy Housing Minister declared on 20 February 1991 that "The Ministry does not direct immigrants to the territories, but if they want to move there, nothing is stopping them" (Jerusalem Post, 21 February 1991; see A/46/282, para. 242).

444. Repressive measures, raised to the status of an official policy, have continued to be implemented by the Israeli occupying authorities to quell the resistance of the Palestinian and other Arab civilians against occupation. For instance, on 26 October 1990, Ha'aretz reported that the security authorities had issued new instructions to soldiers and civilians regarding rules for opening fire. Under these instructions, approved by the Defence Minister in consultation with the Chief of Staff and the Judge Advocate-General, "in any situation of real and immediate danger to life, including when such a danger is caused by stone-throwing at a running car, the attacked person can open fire in order to prevent the danger" (see A/46/65, para. 14). On 21 December 1990, it was reported by Ha'aretz that, according to an IDF spokesman, 15 Palestinians inciters and stone-throwers, including youths aged 14 to 16, were hit by marksmen over the previous week (see A/46/282, para. 11). On 2 January 1991, the Police Minister was reported by the Jerusalem Post as having declared that "every terrorist who comes to murder Jews must know that if he does not blow himself up in the process, the security forces will kill him" (see A/46/282, para. 15).

445. The climate of violence and repression prevailing in the occupied territories has resulted in heavy losses of human life as well as severe and widespread injuries usually inflicted in the course of demonstrations, army raids, clashes with guards or border policemen, or clashes with settlers. This violence has affected all categories of civilians, including very young children, women and old people. Several witnesses referred in the course of their testimony to the climate of fear and indiscriminate repression prevailing in the territories. A witness stated in this regard:

> "They had established a camp near one of the schools in the village. Once the army came to my father's house, at about 10 at night. They took my brother away, as well as some children of the neighbours. They gathered them and took them towards the camp. They forced them to sweep the street. It was 12 o'clock at night. They did not give them anything to clean with, so they had to clean with their hands. ... They took them to the camp, they beat them severely. When they released them, it was 4 o'clock in the morning. ... Some of them were unable to walk, because of the heavy beating they had suffered. We tried to have ambulances to transport them to hospital. There they were given the necessary first aid and they came back home." (See para. 261 above.)

Another witness recalled her personal experience:

> "I heard that there had been a demonstration in the camp and that my aunt had died. I went to see her and as I was looking at her, I was hit by a bullet from the back. I lost consciousness and fell on the ground. I was bleeding a lot. The Israelis prevented the ambulance from taking me and from getting any medical help. Finally, a youth came, brought an Arab car and took me to hospital. The Israelis followed us and started breaking everything in the hospital, because they wanted to take me away. I was operated that night. They tried to take me away from the operation room. I stayed two months in the hospital." (See para. 262 above.)

446. The grave incident that occurred on 8 October 1990 on the site of the Al-Aqsa Mosque, leading to the death of 17 Palestinians and the injury of some 200, was a particularly shocking example of the level and indiscriminate nature of the repression. On 14 October 1990, the Israeli human rights group Betzelem issued a report on the incident based on affidavits collected from Palestinians and statements given by Israeli security personnel. According to the report, the clash apparently began when Palestinians threw stones at policemen, causing them to fire both tear-gas and subsequently live ammunition, thus causing the first casualties. Palestinian youth retaliated by attacking and burning a police station and throwing stones. Later on some 200 police rushed into the compound, firing live ammunition and causing most of the fatalities. During that stage police sprayed the area with automatic fire, hitting people indiscriminately, including people who were fleeing and medical personnel treating the wounded. According to the Betzelem report's findings, "if there were stages in which concrete mortal danger existed, these were brief, at the outset of the riot, when most (of the 6) security personnel and (22 Jewish) worshippers were hurt. But precisely in these stages, virtually no use was made of live fire" (Ha'aretz, Jerusalem Post, 15 October 1990; see A/46/65, para. 22).

447. Another example is the situation that prevailed in the Rafah area in the Gaza Strip on 29 December 1990, during what was described as "the worst day in the past six months", when four Palestinians were shot and killed in violent clashes and a woman died after inhaling tear-gas (Ha'aretz, Jerusalem Post, 30 December 1990; see A/46/282, para. 43).

448. Another preoccupying development, reported by the Palestine Human Rights Information Centre on 26 June 1991, was the killing of Palestinians in IDF undercover operations. According to the report, 26 Palestinians were killed in such operations in 1989, 11 in 1990 and 10 in the first five months of 1991. Most of the victims were reportedly killed while writing graffiti on walls, and others were either manning barricades or shouting slogans through loudspeakers. Ten were killed in circumstances that suggested they were specifically wanted by the authorities and six were armed when killed (Jerusalem Post, 27 June 1991; see para. 44 above).

449. The climate of tension and repression has also brought about an alarming increase of deaths that occurred under unclear circumstances. According to Betzelem, "during the period since the beginning of the uprising until the end of December 1990, 10 Palestinians were killed by Palestinians who collaborated with the authorities"; according to the Associated Press agency, "during the same period 324 Palestinians were killed by other Palestinians on suspicion of collaboration with Israel" (Ha'aretz, 2 January 1991; see A/46/282, para. 14). Information appearing in the tables reproduced in paragraph 18 of document A/46/65, paragraph 18 of document A/46/282 and paragraph 49 above also indicates that, in addition to Palestinians killed by troops or Israeli civilians, an increasingly high number of Arab civilians have been killed, under various other circumstances. Although the motives for these killings often appear to be related to suspicion of collaboration with Israel, they are difficult to determine with any degree of certainty. What is certain, however, is the fact that the climate of tension, frustration and suspicion created and nourished by the occupation over such an extended period has greatly contributed to the development of this phenomenon.

450. During the period under consideration, grave deficiencies have continued to be witnessed in the field of the administration of justice. The "quick justice" policy pursued by the Israeli authorities has been illustrated by the large number of detentions, including administrative detentions. This is exemplified by a report by Ha'aretz on 27 June 1991 that the IDF on 26 June had amended the law on military courts in the territories, enabling a single-justice bench to impose prison sentences of up to 10 years, whereas hitherto only a three-justice bench could impose sentences of over 5 years in jail. According to military sources the reason for the amendment was that since the outbreak of the uprising courts in the territories had been overburdened (see para. 221 above). Another illustration of the arbitrary nature of the administration of justice was the administrative detention imposed on 29 January 1991 for a period of six months upon Sari Nusseibeh, considered to be one of the leading moderate Palestinian intellectuals in the territories. Although the Defence Minister stated that Nusseibeh was detained "for the subversive activity of collecting security information for Iraqi intelligence, especially after missile attacks on Israel", the detention was later reduced to three months upon a suggestion by the Jerusalem District Court judge who expressed the conviction that the detention was simply preventive, justified by the state of war (Ha'aretz, Jerusalem Post, 30 January and 4 February 1991; see A/46/282, para. 125).

451. The Special Committee is particularly concerned by the severity of the sentences imposed upon the Arab population as opposed to the leniency from which Israelis charged with killing or ill-treating Arab civilians have benefited. For instance, Ramadan Gorav (20), the brother of one of those killed on 8 October 1990, was sentenced to 15 months' imprisonment and 6 months' suspended term for planning to kill a policeman as an act of revenge (Jerusalem Post, 25 December 1990; see A/46/282, para. 117). Another example was the report in Jerusalem Post on 8 April 1991 according to which the Jerusalem District Court had recently sentenced a minor to 12 years' imprisonment after he was convicted of stabbing and injuring Yosef Edr, a

yeshiva student, on 12 June 1990 in East Jerusalem (see para. 191 above). By way of contrast, it should be noted that on 19 November 1990, the Israeli Major (res.) Ilan Hauser was acquitted of the charge of manslaughter through negligence. According to testimony, in December 1989, he had ordered without authorization the male residents of a village to assemble and then fired his weapon illegally. One villager, Faraj Abu Fahida, had died. Hauser was convicted of exceeding his authority, improper conduct and illegal use of a weapon, and sentenced to 45 days of "service works" and demotion to the rank of lieutenant. On 15 April 1991, the Military Court of Appeal acquitted Major Hauser of two out of the four charges on which he had been found guilty by the lower court. The Court of Appeal determined that the sentence should be a suspended prison term and demotion to the grade of seren (captain) (Ha'aretz, Jerusalem Post, 20 November 1990, Ha'aretz, 16 April 1991; see A/46/65, para. 139, and para. 245 above). Another illustration was the ruling by a Jerusalem Magistrates Court judge on the 8 October 1990 incidents on the site of the Al-Aqsa Mosque. In the report on the incidents, made public on 18 July 1991, the judge singled out a number of policemen for opening fire needlessly while not being in a life-threatening situation. But he ruled that there was insufficient evidence to press criminal charges against any of them. He also ruled that none of the policemen should be indicted on lesser charges of criminal negligence because of the uncertainty of the evidence collected (Jerusalem Post, 19 July 1991; see para. 256 above).

452. The situation of detainees has continued to be a source of grave preoccupation during the period under consideration, and the very high number of Arab civilians detained since the beginning of the uprising has contributed to a further deterioration of the status and treatment of prisoners. On 21 December 1990, Ha'aretz reported that, according to the Judge Advocate-General, since the beginning of the uprising over 70,000 residents of the territories had been arrested (see A/46/282, para. 11). On 15 July 1991, the commander of the military police reported that 9,128 residents of the territories were currently being held in military prisons. They included 580 held in administrative detention. Some 4,891 of the persons detained were convicted prisoners serving their sentences; 2,966 were pre-trial detainees and 691 were "regular detainees" (Ha'aretz, 16 July 1991; see para. 401 above). Detainees have continued to be held in prisons and detention centres inside Israel itself, such as Ansar 3 (Ketziot), in violation of relevant provisions of article 76 of the Fourth Geneva Convention. According to several reports, detainees, including minors and women, have also continued to be subjected to various forms of ill-treatment, both physical and psychological. Reference can be made in this connection to the report issued by Betzelem on 21 March 1991 on the basis of interviews with 41 Palestinian detainees, who alleged having been tortured during interrogation by the GSS over the past three years. The detainees claimed they had been subjected to severe beatings, deprivation of food and sleep, threats to harm family members, prolonged confinement in tiny refrigerated cells, being tied up in painful positions, having their heads covered with a sack and being made to sit on wet floors for several hours. None of the 41 were convicted, or even suspected of "hostile terrorist activity". Betzelem reached the conclusion that physical abuse was routine in Israeli prisons (Ha'aretz, Jerusalem Post, 22 March 1991; see A/46/282, para. 236). Other complaints by detainees, often

leading to protests in the form of widespread hunger strikes, have included the inadequate food and medical treatment, the overcrowding of cells and lack of sanitary facilities, and the lack of proper arrangements for meetings between detainees and their lawyers or their family members.

453. Various measures of collective punishment have continued to be implemented against the Palestinian and other Arabs in the occupied territories during the period under consideration, in flagrant violation of the relevant provisions of the Fourth Geneva Convention. The practice of demolishing or sealing off houses as a punishment for alleged security offences or for lack of a building permit has continued to be implemented on a very large scale. According to a report by Betzelem on 28 April 1991, quoted on 1 May 1991 in Ha'aretz, since the beginning of the uprising 391 houses had been demolished and 261 sealed (see para. 276 above). According to another report published by Betzelem on 22 November 1990 and quoted by Ha'aretz and Jerusalem Post, acts of demolition or sealing as a punishment for security offences were carried out without any legal proceeding, and took effect irrespective of the sentence meted out to the defendant by the court. The victims were often relatives of the suspect (see A/46/65, para. 159). The illegal nature of such measures is clearly illustrated by the case of Munzir Abdullah, who was killed on 15 April 1991 after he drove over a soldier and injured him. Abdullah left a wife and six children, the youngest being 10 months old. The IDF had decided to demolish his house. After an appeal against the decision was made by ACRI, it was decided that instead of demolishing the house, the room in which Abdullah lived would be sealed (see para. 275 above).

454. The prolonged and continuous curfews imposed upon the occupied territories during the Gulf war for periods that in certain areas extended to six weeks have had a dramatic impact on all aspects of life and have contributed to further deterioration in the already precarious health and living conditions of the population. Many witnesses referred in their testimony to the hardships suffered by the civilian Palestinian population and other Arabs during this period. One of them stated in this regard:

> "During the Gulf war, not one institution was able to work, particularly during the month of February, while the air attacks were continuously taking place. Nobody was able to move. We were living under total curfew. All institutions, whether educational or otherwise, were closed. Until a few days ago only, you could not go to Jerusalem without a permit." (See para. 279 above.)

Another witness said in the same connection:

> "During the curfew, there were many acts of harassment. ... We had about 2,000 chickens, they were about 30 days old. They all died, because we did not have poultry feed and were prevented during the curfew from getting it. This is what happened to me, but other people had sheep for instance and were prevented from going out with their sheep to the pasture land. There were also farmers being prevented from leaving their

house and till their land. Anyone who ventured to get some food or anything would try to do so at night and, if they caught him, he would be fined between 500 and 1,000 shekels, and sometimes even 2,000 shekels. During the curfew, we suffered very much economically. The curfew was continuous, 24 hours a day. From time to time, after two or three days, they would allow us out for two hours. They would lift the curfew in one village, but not in the other ones, so you could not leave your village and go to another one. So, you could say that at least 90 per cent of the social life was restricted, in fact non-existent." (See para. 279 above.)

455. Another illustration of the difficulties encountered under prolonged curfews to provide basic needs to the Arab population were Israeli newspaper reports according to which Palestinians in the territories were running short of money to buy goods, and that there was no food to buy. Complaints spoke of doctors prevented from entering villages and a large quantity of farm products, including milk products, were to be destroyed owing to the impossibility of marketing them to the areas under curfew (Ha'aretz, 1 February 1991; Jerusalem Post, 31 January 1991; see A/46/282, para. 188). Yet another example was the appeal made by ACRI to the Defence Minister on 7 February 1991 to end the curfew in the territories, describing the situation there as being "on the verge of starvation" in several areas (see A/46/282, para. 193). Various other collective sanctions, including heavy taxes, the uprooting of trees and the increasingly repressive measures for the issuance of ID cards, leading in practice to preventing tens of thousands of Palestinian workers from continuing their employment inside Israel, have also further aggravated the already critical economic and social situation. An illustration of these harsh collective sanctions was the search and arrest operation carried out by troops using helicopters in Beita, near Nablus, in April 1991, while Civil Administration personnel collected taxes (Ha'aretz, 14 April 1991; see para. 64 above).

456. The period under review has also witnessed a resumption of deportations on "security grounds" from the occupied territories carried out in spite of a wave of international protest against this violation of article 49 of the Fourth Geneva Convention, including unanimous resolutions by the Security Council against such illegal practice. On 18 May 1991, four Gaza Strip residents were expelled to Lebanon, after the High Court of Justice rejected their petition against their deportation (Ha'aretz, Jerusalem Post, 15 and 20 May 1991; see para. 337 above). Another preoccupying element is the trend to expel Palestinians without a valid "staying visa". According to a report by Ha'aretz and Jerusalem Post on 16 August 1991, Betzelem stated in a press conference on 15 August 1991 that at least 20 women married to Palestinians had recently been ordered to leave the West Bank with their children despite a declared policy of the State Attorney's office that non-resident wives and children of West Bank residents would not be deported (see para. 338 above).

457. The Special Committee has also received during the recent period information on various measures affecting the enjoyment of certain basic freedoms. Reference has already been made in this connection to the recourse

of Israeli authorities to prolonged curfews. In addition, various steps taken by these authorities have further restricted freedom of movement, such as the increasing recourse to the issuing of "green ID cards" preventing inhabitants of the territories from entering Israel and East Jerusalem. According to a report by Ha'aretz on 14 December 1990, many of those who received such cards (including journalists, lawyers and doctors) work in East Jerusalem and may now lose their jobs and livelihood. Security sources said that this measure would apply to up to 12,000 people. Most of those who received cards had served prison sentences or were under administrative detention orders in the past (Ha'aretz, 14 December 1990; see A/46/282, para. 220). In addition, arbitrary measures have considerably reduced the number of persons authorized to travel abroad.

458. Such obstacles limiting freedom of movement have also negatively affected the enjoyment of the right to freedom of religion. Illustrative of such restrictions was the decision reported by Ha'aretz and Jerusalem Post on 11 November 1990 to declare the entire West Bank a closed military area on 9 and 10 November 1990 to prevent West Bankers from coming to Jerusalem for the Friday prayers at Al-Aqsa Mosque (see A/46/65, para. 211).

459. The right to freedom of expression has also been affected by measures such as newspaper closures, the closure of several news offices and the harassment of journalists. Mention can be made of the administrative detention, on 13 November 1990, of two leading West Bank journalists, Radwan Abu Ayash and Zaid Abu Ziad, on the accusation of being "senior Fatah activists" in the territories. Both have repeatedly called for a negotiated peace with Israel and for a Palestinian State next to Israel (Ha'aretz, Jerusalem Post, 14 November 1990; Ha'aretz, 26 November 1990; see A/46/65, para. 216).

460. Freedom of education has also been hampered as a result of the prolonged closures of academic institutions. Although the reopening of most schools and some universities has in principle been announced, freedom of education in the territories has continued to suffer in practice from numerous and prolonged closure orders. According to a report by Betzelem concerning the last academic year in the territories, closure orders have affected all the West Bank schools and not necessarily schools where there were clashes with troops. Thus, during a certain period, primary school classes and even kindergartens were ordered closed. The report stated that during the first four months of 1990, 29 per cent of UNRWA schools in the Gaza Strip were ordered closed (Ha'aretz, 19 October 1990; see A/46/65, para. 221). These long periods of interruption in the educational process, together with severe shortages of classrooms and adequate teaching material, and the banning by military authorities of attempts by teachers to provide for alternative education outside the closed schools and universities, have led to a dramatic decline of the educational level, in particular among young children.

461. The period under review has also been marked by acts of violence and aggression by Israeli settlers against the Palestinian and other Arab population. An example of the indiscriminately violent behaviour of settlers

is the incident that occurred on 18 February 1991 involving a settler from Teqo'a near Bethlehem who on 24 February 1991 confessed that he had fired his sub-machine-gun while his car was stopped at a makeshift road block in Beit Sahour. A bullet struck a 14-year-old Palestinian in the kitchen of his home, killing him (Jerusalem Post, 24 February 1991; see A/46/282, para. 232). Another illustration is the incident that took place at A-Ram junction, north of Jerusalem, on 12 May 1991, when settlers from Shiloh opened fire at an Arab minibus, injuring two 4- and 5-year-old children. The settlers later claimed that the passengers of the minibus had thrown cans at their bus, and that it had tried to run them off the road. One of the injured boys had to be hospitalized (Ha'aretz, Jerusalem Post, 13 May 1991; see para. 379 above). Another serious incident occurred on 8 June 1991, when a settler shot dead an Arab shepherd (Ha'aretz, Jerusalem Post, 9 June 1991; see para. 380 above).

462. Finally, the report of the Special Committee also contains information on the incidents that have affected the situation in the occupied Syrian Arab Golan, including the killing, on 22 November 1990, of a resident of Majdal Shams trying to cross the border into the Syrian Arab Republic. He was killed by IDF troops who mistook him and another person accompanying him for terrorists trying to infiltrate into the country (Ha'aretz, Jerusalem Post, 25 November 1990; see A/46/65, para. 243).

463. The intensification of the annexation policy, already mentioned above (see para. 443), has also affected the occupied Syrian Arab Golan. An example of the determination to expand settlements in that area was the declaration of the Housing Minister before the Knesset, on 18 March 1991, according to which the Jewish population in the Golan would be tripled by building 2,400 housing units there over the next two years. He said the building programme was a concrete statement of the Government's intention to remain on the Golan (Ha'aretz, Jerusalem Post, 19 March 1991; see A/46/282, para. 247). Another illustration of this policy was the announcement, on 21 May 1991, that a new settlement, called "Kanaf", was to be inaugurated and that two others were planned in the Golan (Ha'aretz, 21 May 1991; see para. 436 above). It was further announced on 23 July 1991 by the head of the Golan Heights Regional Council that four new settlements would be set up shortly in the region and that new immigrants would settle there (Jerusalem Post, 23 July 1991; see para. 437 above).

464. In the opinion of the Special Committee, the overall picture drawn from the evidence and information examined by it during the period under consideration, that is, 1 September 1990 to 22 August 1991, reveals a further deterioration in the level of enjoyment of basic human rights and fundamental freedoms, which has dangerously increased the already considerable physical and psychological stress endured by the Palestinian people and other Arabs of the occupied territories. The provisions of the Fourth Geneva Convention, which remains the main international instrument in humanitarian law that applies to the occupied territories, continue to be violated. Furthermore, several relevant provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International

Covenant on Economic, Social and Cultural Rights, as well as several resolutions relevant to the situation of civilians in the occupied territories adopted by United Nations organs - the General Assembly, the Security Council, the Economic and Social Council and the Commission on Human Rights - and a number of relevant resolutions of UNESCO, WHO and ILO, continue to be disregarded by the Israeli occupation forces.

465. The gravity of such developments has led the Special Committee to conclude that the life of the Palestinian and other Arab population in the occupied territories seems to have been reduced to the level of mere subsistence. The Special Committee, therefore, once again stresses that urgent measures must be taken in order to ensure an effective protection of their basic rights and freedoms. It also wishes to emphasize the need to arrive through negotiations at a comprehensive, just and lasting settlement of the Arab-Israeli conflict that would take into account the rights of all peoples in the area, including the national rights of the Palestinian people and other Arabs of the occupied territories.

466. In the meantime, the Special Committee wishes to recommend once more the implementation of urgent measures that would safeguard the basic human rights of the Palestinian people and other Arabs in the occupied territories. Such measures could include the following:

(a) The full application, by Israel, of the relevant provisions of the Fourth Geneva Convention, which remains the main international instrument in humanitarian law that applies to the occupied territories, and whose applicability to those territories has repeatedly been reaffirmed by the Security Council, the General Assembly and other relevant organs of the United Nations;

(b) The full compliance with all resolutions pertinent to the question of Palestine as adopted by the Security Council and the General Assembly as well as other relevant resolutions adopted by UNESCO, WHO and ILO;

(c) The creation of conditions of confidence and security conducive to promoting respect for human rights, as well as the convening of a peace conference with the participation of all the parties concerned by the Arab-Israeli conflict;

(d) The full cooperation of the Israeli authorities with the International Committee of the Red Cross (ICRC) in order to protect detained persons, in particular by ensuring full access of ICRC representatives to such persons;

(e) The full support, by Member States, of the activities of ICRC in the occupied territories, and positive response by Member States to any appeals for additional assistance, including funds to finance the extra activities required by the unprecedented increase in the number of detained persons;

(f) The full support, by Member States, of UNRWA activities in the occupied territories in order to enable UNRWA to maintain and improve the general assistance provided to the refugee population;

(g) The unrestricted cooperation of the Israeli authorities with UNRWA representatives and full respect by the Israeli authorities of the privileges and immunities that the Agency enjoys as an international body providing humanitarian services to Palestinian refugees in the occupied territories.

VI. ADOPTION OF THE REPORT

467. The present report was approved and signed by the Special Committee on 22 August 1991 in accordance with rule 20 of its rules of procedure.

Notes

1/ Documents A/8089; A/8389 and Corr.1 and 2; A/8389/Add.1 and Add.1/Corr.1 and 2; A/8828; A/9148 and Add.1; A/9817; A/10272; A/31/218; A/32/284; A/33/356; A/34/631; A/35/425; A/36/579; A/37/485; A/38/409; A/39/591; A/40/702; A/41/680; A/42/650; A/43/694; A/44/599; and A/45/576.

2/ Official Records of the General Assembly, Twenty-fifth Session, Annexes, agenda item 101, document A/8237; ibid., Twenty-sixth Session, Annexes, agenda item 40, document A/8630; ibid., Twenty-seventh Session, Annexes, agenda item 42, document A/8950; ibid., Twenty-eight Session, Annexes, agenda item 45, document A/9374; ibid., Twenty-ninth Session, Annexes, agenda item 40, document A/9872; ibid., Thirtieth Session, Annexes, agenda item 52, document A/10461; ibid., Thirty-first Session, Annexes, agenda item 55, document A/31/399; ibid., Thirty-second Session, Annexes, agenda item 57, document A/32/407; ibid., Thirty-third Session, Annexes, agenda item 55, document A/33/439; ibid., Thirty-fourth Session, Annexes, agenda item 51, document A/34/691 and Add.1; ibid., Thirty-fifth Session, Annexes, agenda item 57, document A/35/674; ibid., Thirty-sixth Session, Annexes, agenda item 64, document A/36/632/Add.1; ibid., Thirty-seventh Session, Annexes, agenda item 61, document A/37/698; ibid., Thirty-eighth Session, Annexes, agenda item 69, document A/38/718; ibid., Thirty-ninth Session, Annexes, agenda item 71, document A/39/712; ibid., Fortieth Session, Annexes, agenda item 75, document A/40/890; ibid., Forty-first Session, Annexes, agenda item 71, document A/41/750; ibid., Forty-second Session, Annexes, agenda item 75, document A/42/811; ibid., Forty-third Session, Annexes, agenda item 77, document A/43/904; ibid., Forty-fourth Session, Annexes, agenda item 77, document A/44/816; and ibid., Forty-fifth Session, Annexes, agenda item 75, document A/45/823 and Corr.1.

3/ Official Records of the General Assembly, Twenty-fifth Session, Annexes, agenda item 101, document A/8089, annex III.

Notes (continued)

4/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

5/ Ibid., No. 972, p. 135.

6/ Ibid., vol. 249, No. 3511, p. 215.

7/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907, New York, Oxford University Press, 1915.

8/ General Assembly resolution 2200 A (XXI).

ANNEX

Map showing Israeli settlements established, planned or under construction in the territories occupied since 1967

MAP SHOWING ISRAELI SETTLEMENTS ESTABLISHED IN THE TERRITORIES OCCUPIED IN JUNE 1967

- Israeli settlement — Golan Heights 43; West Bank 190; Gaza Strip 27
- New settlements reported to the Special Committee since 1 September 1990
- Town selected for reference purposes

The present map reflects information concerning Israeli settlements which has been submitted to the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

The designations employed and the presentation of material on this map do not imply the expression of any opinion whatsoever on the part of the Special Committee or the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or its authorities, or concerning the delimitation of its frontiers or boundaries.

0 10 20 30 km
0 5 10 15 20 mi

LEBANON

SYRIAN ARAB REP.

JORDAN

MEDITERRANEAN SEA

ISRAEL

WEST BANK

GAZA

GOLAN

Settlements in the Golan Heights, established but not located:
Ein Kanaf
Dalia
Kasaf

Settlements in the West Bank, established but not located:
Bat Hagai
Kadim
Herbert Zaoiah
Ma'ale Levona
Nahal Zurim
Nera
Omarim 'B'
Yaaid

Settlements in the Gaza Strip, established but not located:
Nissanit

Haifa
Tel Aviv
Jerusalem
Ramallah
Nablus
Jenin
Tulkarm
Hebron
Gaza
Rafah
Qunetra
Jericho
Amman
Lake Tiberias
DEAD SEA
Jordan
Armistice Demarcation Line

34°30' 35°00' 35°30'

MAP NO. 3010 Rev. 12 UNITED NATIONS
OCTOBER 1991